

TOWN OF CAMDEN
POLICE ORDINANCE
CHAPTER VIII

Revised through June 12, 2002 Annual Town Meeting added Part XV Public Transportation Ordinance
Revised July 21, 2003 Select Board Meeting, Parking Ord. Schedule 9
Revised August 19, 2003 Select Board Meeting, Parking Ord. Schedule 3 & Schedule 8
Revised November 17, 2003, Parking Ord, Section 5 speed regulations
Revised June 7, 2004 Select Board Meeting, Parking Ord. Schedules 4 & 5
Revised June 21, 2004 Select Board meeting, Parking Ord. Schedule 7
Revised June 14, 2005 Annual Town Meeting, added Part XI Authorizing Names for Private Roads
Revised October 3, 2005 Select Board Meeting, Parking Ord. Section 13.1 paragraph 2c (deleted)
Revised June 13, 2006 Annual Town Meeting, revision to Part VI Taxicab Ordinance
Revised June 14, 2007 Annual Town Meeting; replaced Part XIII Placement of Benches on Public Sidewalks Ordinance with new Sidewalk Ordinance
Revised June 18, 2007 Select Board Meeting, Part IV Traffic Code, Section 15, Schedule 10
Revised November 6, 2007 Special Town Meeting (Part III-B Discharge of Firearms)
Revised November 4, 2008 Special Town Meeting Vote (Part I-D Victualer License Ordinance; Part I-E Lodging Establishment Licensing Ordinance; Part II-A Special Amusement Permits; and Part VI Taxicab Regulations.
Revised November 12, 2008 Select Board Meeting, Part IV Traffic Code, Section 15, Schedule 10
Revised February 3, 2009 Select Board Meeting, Schedule A Taxicab Ordinance

Certified:

John R. French, Jr., Select Board Chair

Date

A true copy, attest:

Katrina Oakes, Town Clerk

Date

"CHAPTER VIII"
TOWN OF CAMDEN
Police Ordinance
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CHAPTER VIII TOWN OF CAMDEN
Police Ordinance
Police Power Ordinance Part IA-1

**Ordinance Prohibiting Panhandling
And Begging in Public Places**

The Inhabitants of the Town of Camden are concerned about the serious public health and safety problems which result from panhandling and begging of individuals in public places in the Town of Camden. Such begging and panhandling may lead to serious problems involving the safety of residents and visitors to the Town. Panhandling and begging can intimidate visitors to the Town with an adverse impact on the Town's tourist-oriented economy. Panhandling and begging also can lead to potential violence and an unwarranted intrusion upon the privacy of residents of the Town and visitors to the town. The following Ordinance is hereby adopted in the interest of promoting the general welfare, public health and providing for public safety.

SECTION 1 AUTHORITY

This Ordinance is enacted pursuant to the Home Rule Authority granted to the town in accordance with the provisions of title 30-A M.R.S.A. ss3001.

SECTION 2

No person shall loiter for the purpose of begging or engage in panhandling alone or in consort with any other person in a public place. Begging and panhandling, as defined in this Ordinance, shall be a violation of the provisions of this Ordinance and subject the violator to the penalties set forth in this Ordinance.

SECTION 3

For purposes of this Ordinance, fund raising and the solicitation of contributions for charitable purposes in public places by religious, educational, charitable, benevolent or philanthropic organization, or any person acting for such an organization which is authorized by that organization, shall not be considered to be begging or panhandling. Such fund raising or solicitation of contributions shall be exempt from the provisions of this Ordinance. Without limiting the generality of this exemption and for purposes of illustration, the solicitation of contributions from the public on the public sidewalk by the Salvation Army, a Rotary club, a Lions club, the Red Cross, the YMCA or any other similar charitable and nonprofit organization shall be exempt from the provisions of this Ordinance and such activities shall not be deemed to be begging or panhandling as defined in this Ordinance.

SECTION 4 DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply to the terms set forth below in this Section:

- (a) "Begging" shall mean the solicitation of money, including coins and paper money of legal tender, without any return by the person making that solicitation of any consideration for the receipt of that money.

- (b) "Loitering" shall mean remaining in essentially one location for the purpose of begging as defined in this Ordinance and, for purposes of the Ordinance, shall be unlawful only if such loitering occurs in connection with begging by that person.
- (C) "Panhandling" shall mean the actions of a person in moving or walking along the sidewalk of a public way or along a public way for the purpose of the solicitation of money, including coins and paper money of legal tender, without the return by the person making that solicitation of any consideration for the receipt of that money.
- (D) "Public Place" shall mean any place to which the general public has access which is not owned privately, including the public sidewalks of the Town of Camden, the streets and Town roads of the Town of Camden, public parks owned by the town of Camden, the Camden Public Landing, the Village Square, all publicly owned beaches in the town of Camden and any buildings owned by the town of Camden including the grounds associated with those buildings. The term "Public Place" shall specifically include the public sidewalk area in the front or immediate area of any store, shop, restaurant, tavern or other place of business.

SECTION 5 PENALTY

Any person who violates any provision of this ordinance shall be subject to a penalty of not less than \$50.00 and not more than \$100.00 for each and every offense, and that penalty shall be recoverable in an action in the District court, Division of Knox, of the State of Maine.

SECTION 6 SEVERABILITY

Each part of this Ordinance is severable and , if any phrase, clause, sentence or provision is declared to be contrary to law, the validity of the remainder shall not be affected thereby, unless the application of any remaining portion of the Ordinance would result in action being taken which is inconsistent with the objectives of this Ordinance.

SECTION 7 THE EFFECTIVE DATE

This Ordinance shall take full force and effect on the date of enactment of this Ordinance at a Town meeting of the town of Camden.

Historical Note: Adopted at Town Meeting, June 10,1997

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART I-A-2 Assembly Ordinance

Preamble

The Inhabitants of the Town of Camden are concerned about the serious public health and safety problems that may result when crowds assemble for any organized event. Such assemblages may lead to serious problems involving public health and safety matters relating to waste disposal, potable water, first aid, obstruction and damages to roads and highways, violation of alcohol and controlled substance laws, and destruction of both public and private property. The following ordinance is hereby adopted in the interest of promoting the general welfare, public health, and providing for public safety.

Section 1-Authority

This ordinance is enacted pursuant to the Home Rule Authority granted to the Town in accordance with the provisions of 30-A M.R.S.A.s 3001.

Section 2-License Required

No person shall exhibit, sponsor, hold, promote, or operate any pageant, amusement show, theatrical performance, or other public assemblage, where in excess of 400 people are reasonably anticipated to attend and where a substantial portion of the exhibitors, sponsors, promoters, operators, or attendees will be out of doors without procuring a license therefor from the municipal officers. Activities sponsored by the Town of Camden or by SAD 28, and public assemblies for purposes of town government are expressly excluded from the licensing requirement of this ordinance.

Section 3-License Request Deadline

Any person seeking issuance of an assembly license must make a request therefor to the municipal officers or their agent no later seven (7) days prior to the event.

Section 4-License Fees

There shall be paid at the time of processing the request for an assembly license a fee according to the following schedule:

Attendees	License Fee
400-1000	\$ 25.00
1001-2000	\$ 75.00
more than 2000	\$150.00

Section 5-Contents of Request

No license shall be granted by the municipal officers unless the applicant satisfies the municipal officers that proper facilities will be available for the proposed event in the area to be used and that adequate precautions have been taken to ensure the public health and safety of attendees and the general public.

Section 6-Standards for Issuance

The municipal officers shall issue a license to the applicant in the event that the municipal officers determine that the applicant complies with and has the ability to comply with the following standards, considering the size, duration and nature of the proposed event:

- (a) Determine to their satisfaction that adequate supplies of potable water shall be available and reasonably spaced throughout the area;
- (b) Determine that adequate toilet facilities shall be available
- (c) Determine that the area to be used is adequately equipped with containers for disposal of solid waste and garbage and that provisions are made for the removal and disposal of such wastes and garbage;
- (d) Determine that adequate first aid facilities shall be provided;
- (e) Determine that adequate parking facilities are available in the area in which the event is to be held;
- (f) Determine that the event will not impair the safe and orderly flow of traffic on public ways; and
- (g) Make any additional determination reasonably necessary for the municipal officers to find that the applicant shall continue to comply with the standards set forth above for issuance of the license as of the date of the event.

Section 7-License Conditions

The municipal officers may attach conditions to any license issued hereunder as are reasonably necessary to the applicant's compliance with this ordinance, and enforcement of this ordinance, including, without limitation, a condition that the applicant hire police officers for the event.

Section 8-Surety Bond Required

In the event that the municipal officers determine that a surety bond is necessary to assure the applicant's compliance with the standards and conditions of the issuance of the license, the applicant may be required to furnish a surety bond acceptable to the municipal officers insuring that the grounds will be cleared of waste, and any damage to public or private property in the area arising out of, or in connection with, the event is promptly corrected or compensated for.

Section 9-Private Landowner Authority

In the event that private property is to be used in connection with such event, the applicant shall file with the municipal officers or their agent adequate proof that the applicant has authority from any landowner upon which is to be held to use his property.

Section 10-Additional Information

The applicant, if called upon to do so by the municipal officers or their agent, shall furnish a plan showing the size of the area to be used with designated locations for drinking water, toilet and washing facilities, waste containers, first aid facilities and available parking.

Section 11-Duties of Licensee

(a) The Licensee shall comply with all conditions of any license issued hereunder and with all applicable local, state and federal laws and ordinances.

(b) The Licensee or its designated agent shall make available to any municipal officer or Code Enforcement Officer any license issued hereunder during the entire course of the event.

Section 12-Fines

Any person, directly or indirectly, exhibiting, promoting, sponsoring, operating or holding such event as owner, lessor, lessee, landlord, tenant, operator, or entertainer and not complying with this ordinance shall be liable to a fine of \$250.00 per day for each infraction, shall be personally responsible for damages to public or private property arising out of or in connection therewith and subject to any civil or injunctive relief that may be reasonable and proper.

Section 13-Revocation

The municipal officers or their duly authorized agents shall have the authority to revoke any license issued hereunder in consequence of a violation of any conditions of the license or any noncompliance with the standards for issuance of a license.

Section 14-Severability

Each part of this ordinance is severable and, if any phrase, clause, sentence, or provision is declared to be contrary to law, the validity of the remainder shall not be affected thereby unless the application of any remaining portion of the ordinance would result in action being taken which is inconsistent with the objectives of this ordinance.

Section 15-Effective Date

This ordinance shall take full force and effect on the date of enactment of this ordinance at a Town Meeting of the Town of Camden.

Historical Note: Adopted at Town Meeting June 9, 1992.

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART I-B HOURS OF OPERATION, RECREATIONAL AREAS

In accordance with the provisions of Chapter 141, Title 30-A Section 3001 of the Maine Revised Statutes, and by authority granted therein under Section 3001 and in the interest of promoting general welfare and providing for public safety and convenience, the following ordinance is hereby adopted by the Inhabitants of the Town of Camden, Maine.

Be it ordained by the Inhabitants of the Town of Camden as follows:

1. All town parks, beaches and recreation areas being the property of the Town of Camden and located within the boundaries of the Town of Camden shall be closed to public use from the hour of 11 PM each day until the hour of 6 AM each day, unless other hours of closing for particular areas shall be fixed by the Board of Selectmen of the Town of Camden after public hearing. In cases where hours of closing for particular areas are fixed by the Board of Selectmen, they shall be posted at or near the entrances of such recreation areas. No person or persons shall, between the hours of 11:00 PM and 6:00 AM, or at such other posted hours as are fixed by the Selectmen of the Town of Camden, enter upon said town parks, beaches or recreation areas, except by license granted by the Board of Selectmen of the Town of Camden or their duly authorized agent. Whoever violates this Section shall be punished by a fine of not less than \$50.00 and not more than \$200.00.

2. Motor vehicles, as defined in Title 29-A, Maine Revised Statutes, Section 101, subsection 42, are prohibited from being on ice of lakes within or adjacent to Camden between the hours of sunset and sunrise of the following day. A fine of not less than \$50.00 nor more than \$200.00 may be imposed for violation of this ordinance. This ordinance does not prohibit motor vehicles from being on lakes during regular fishing hours, nor does it prohibit snowmobiles, as defined in Title 12, Section 7821, subsection 5, or ATV's, as defined in Title 12, Section 7821, subsection 2, from being on the lakes at any time.

Historical Note: Adopted June 9, 1970, Amended: March 10, 1986, June 13, 1995, October 2, 1995*.

State Law Reference: 30-A MRSA, Section 3001.

*On October 2, 1995, the Selectmen voted to establish closing times for public parks and cemeteries as follows:

- Barrett's Cove, Shirttail Point & Laite Beach 10:00 PM-6:00 AM
- Mountain View and Oak Hill Cemeteries Dusk to Dawn

*On July 3, 2000 the Selectmen voted to establish closing times for Curtis Island as follows: Sunset to Sunrise

*On December 17, 2001, the Select Board voted to establish closing times for Harbor Boat Ramp as dusk to dawn.

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART I-C Curfew Ordinance

Section 1 Short Title

This Ordinance shall be known and may be cited as the Curfew Ordinance of the Town of Camden.

Section 2

It is found and declared as a matter of legislative determination and public policy that the provisions and prohibitions hereinafter contained and enacted are in the pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare, and prosperity and the peace and quiet of the Town of Camden and its inhabitants. It is further found and declared that the foregoing provisions and prohibitions are necessary in order to curb juvenile delinquency and nocturnal crime resulting from the activity of minors in the community. The prohibition on activities by minors on the streets of the Town of Camden during the hours of curfew as declared by this Ordinance reflect the increased frequency of nocturnal crimes by minors during those hours and the potential for disruption of the community and danger to both the inhabitants of the Town of Camden and to minors resulting from congregations of minors on the streets of the Town of Camden during the hours which curfew is established herein. It is also recognized that those with parental authority should be responsible for the whereabouts of their children.

It is expressly declared that this Ordinance shall repeal and supercede any existing Curfew Ordinance of the Town of Camden.

Section 3

It shall be unlawful for any person who has not attained the age of thirteen (13) to remain in or upon the streets within the Town of Camden at night from a period beginning at 10:00 p.m. of one day and ending at 6:00 a.m. of the following day except where such activity is permissible activity as set forth in Section 4 of this Ordinance or constitutes activity fitting within one of the exceptions in Section 5 of this Ordinance. It shall be unlawful for any person who is more than twelve (12) years old (that is, thirteen (13) years of age and above) but less than eighteen (18) years old to remain in or upon the streets within the Town of Camden at night during the period beginning at 11:00 p.m. and ending at 6:00 a.m. on the following day except where such activity is permissible activity as set forth in Section 4 of this Ordinance or constitutes activity fitting within one of the exceptions in Section 5 of this Ordinance.

Section 4 Permissible Activity

In the following exceptional cases a minor remaining on a street of the Town of Camden during the hours for which such activity is proscribed by Section 3 above shall not be deemed to violate the prohibitions of Section 3:

(a) When that minor is accompanied by a parent, legal guardian, or other person with legal custody of that minor.

(b) When that minor is accompanied by a person at least twenty-one (21) years of age who is authorized by parent, legal guardian, or other person with legal custody of that minor to accompany or escort that minor to a designated location.

Section 5 Exceptions

The following types of activity and conduct during the hours for which it is unlawful for a minor to remain on the streets of the Town shall not be deemed to constitute unlawful activity within the meaning of Section 3 upon submission by the party charged with a violation of Section 3 or any portion of this Ordinance of convincing evidence that said minor falls within one of the exceptions contained in Section 5 of this Ordinance and that all requirements for qualification for any exception contained in said Section 5 have been met.

(a) The exercise by a minor of first amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly.

(b) In instances of reasonable necessity, a minor may remain on the streets of the Town of Camden during the proscribed period; but such activity shall be lawful only in the event that such minor's parent, legal guardian, or other person in lawful custody has communicated to the Chief of Police of the Town of Camden in advance of said activity the facts establishing the reasonable necessity for that activity which communication shall describe the activity of the minor, the specified street or streets on which that activity shall occur, the designated time for that activity, the described purpose of the activity including both points of origin and destination. Such communication of reasonable necessity shall be in writing if practicable and submitted twenty-four (24) hours in advance of the instance of such activity by a minor which constitutes a claim of reasonable necessity. If written communication of such reasonable necessity is not practicable, then said communication shall be made by the appropriate person to the Chief of Police or to a police officer of the Town of Camden if the said Chief is not available as soon as the facts supporting reasonable necessity are known. The police officer receiving said communication shall make a report describing the minor, the fact of reasonable necessity and the date, time and location of the activity under this exception.

(c) That a minor shall be permitted to remain on a sidewalk which abuts that minor's place of residence but only if such activity is located reasonably within the vicinity of that minor's residence.

(d) A minor shall be permitted to return home by a reason direct route from a school activity, municipally sponsored activity, activity of a religious organization, or activity of a hospital so long as the return trip does not continue more than thirty (30) minutes after the foregoing events. In aid of the enforcement of this Ordinance, organizers of any school activity, municipally sponsored events, or activities of religious organizations and hospital organizations shall be requested to provide the Chief of Police with notice in writing of the place and probable time of termination of any such events. In the absence of any such prior notice any minor or parent, legal guardian, or other person in custody of that minor who claims that the activity of the minor constitutes returning from home within the meaning of this subsection must furnish evidence of conformity of that minor's activity with this Subsection including but not limited to the place and time of termination of the event from which the minor was returning.

(e) A minor whose employment requires him to remain on the streets of the Town of Camden during the prohibited time period shall not be deemed in violation of this Ordinance so long as that minor carries with him for presentation to a police officer a card of employment which identifies the minor, the address of the minor's home, and his place of employment, and the hours of employment. That card should be signed by the Chief of Police and that card shall expire within ninety (90) days after the date of that signature. Cards of employment shall be renewable upon application to the Chief of Police and issuance and renewal shall be subject to determination by the Chief of Police that the applicant is employed in that position.

(f) When necessary recurring night time activities of a minor may be inadequately protected by other provisions of this Ordinance, then the Town Manager may issue a special permit for such night time activities as the circumstances warrant. Upon authorization by such special permit, the minor so authorized shall carry that permit on his person when engaged in night time activities. Application for such night time activities shall be in writing, signed by the minor and parent, legal guardian or other person with custody of the minor and that written application shall state;

(1) The name, age and address of such minor;

(2) The name, address and telephone number of the parent, legal guardian or person with the custody thereof;

(3) The height, weight, sex, color of eyes and hair and other distinguishing characteristics of such minor;

(4) The reason which requires such minor to remain upon the streets during curfew hours otherwise applicable; and,

(5) The street or route on which the activity shall occur and the period of time which the activity will encompass including the beginning and ending of the period by date and hour. The Town

Manager may grant such a special permit in writing upon receipt of information to the satisfaction of the Town Manager that a compelling reason requires the minor to remain upon the streets during the curfew hours otherwise applicable.

In an emergency which precludes application in writing for such special permit, the Town Manager may, in his discretion, issue such a permit after receipt of request for that permit orally, by telephone or otherwise, subject to the condition that the Town Manager shall make a corresponding record in writing of the request for the issuance of the permit which record shall contain the same information as required for a written application. If the Town Manager is unavailable to receive such a request or to issue such a permit, the Chief of Police shall be authorized to act on behalf of the Town Manager to issue that permit.

Section 6 Parental Responsibility

It shall be unlawful for a parent, legal guardian, or any other person having legal custody of a minor to permit or by inefficient control to allow a minor to remain upon any streets of the Town of Camden as prohibited in Section 3 of this Ordinance unless that activity constitutes permitted activity under Section 4 or activity within an exception of Section 5 of this Ordinance if such parent, legal guardian or person having legal custody of a minor knows or should have known that said minor was acting in violation of this Ordinance. The term "know or should have known" includes knowledge which a parent, legal guardian or person with legal custody should reasonably be expected to have concerning the whereabouts of a minor in that person's legal custody. It is the expressed intention of this Section that a reasonable community standard of parental responsibility be applied to the conduct of a parent charged with a violation of this Section to determine whether that person in legal custody of a minor is violating this Section.

Section 7

A policeman who has reason to believe that a minor is in violation of Section 3 of this Ordinance shall transport that minor to the Camden Police Station and shall thereupon notify the parent, legal guardian or other person in legal custody of that minor that the minor has been brought to the police station. The person with legal custody of the minor shall be asked to pick up the minor at the police station.

(a) In determining the age of a minor on a street of the Town of Camden, the police officer shall use his best judgment in determining that age.

(b) The police officer shall within twenty-four (24) hours of the time of an incident involving a minor in violation of the Ordinance file a written report with the Chief of Police concerning the violation together with the name of the minor, name of the person with legal custody of the minor, date, time and place of the violation.

(c) The police officer shall release the minor to the parent, legal guardian or other person with legal custody of the minor

as soon as the parents report the appropriate information. In the event that the appropriate person with legal custody cannot be located, or fails to take charge of the minor, then the minor shall be released to the appropriate juvenile authorities.

(d) In the event of a first violation by a minor under Section 3, the Chief of Police shall send a written notice of said violation to the parent, legal guardian or other person with custody of the minor with a warning that any subsequent violation may result in imposition of the penalties contained in Section 8 herein. This notice of first violation shall be sent by certified mail.

Section 8 Penalties

The following penalties shall be imposed after a second or any subsequent violation of the Ordinance:

(a) In the event that a minor commits a second violation of the Ordinance and in the event that a warning notice pursuant to Section 7 above of the first violation by a minor had been sent to the parent, legal guardian or other person with legal custody of the minor, that person shall be fined Twenty-Five Dollars (\$25.00). That person shall be fined an additional Twenty-Five Dollars (\$25.00) for each subsequent offense after the second offense by the minor (the fine for each offense thereafter shall be Fifty Dollars (\$50.00) for the second offense of the parent, Seventy-Five Dollars (\$75.00) for the third offense of the parent, and increased by an additional Twenty-Five Dollars (\$25.00) for each offense of the parent thereafter). The second offense of the minor shall then be considered the first offense of the parent in the event that the parent has been given the appropriate notice. Upon finding that the parent, legal guardian or other person in legal custody of the minor is guilty, the District Court Judge shall sentence that person to pay such fine and the cost of prosecution, and upon refusal of such person to pay that fine and cost the Judge may order that person to be imprisoned in the Knox County Jail for a period not exceeding ten (10) days.

(b) Any minor that shall violate any of the provisions of this Ordinance more than three (3) times shall be reported by the Chief of Police to the appropriate juvenile authorities and proceedings shall be taken before the Juvenile Court for the treatment, supervision and rehabilitation of such minor.

Section 9 Definitions

As used in this Ordinance, unless the context otherwise clearly indicates, the words and phrases used in this Ordinance are defined as follows:

(a) Town shall mean the Town of Camden

(b) Minor shall mean any person who has not attained the age of eighteen (18); that is, any person seventeen (17) years of age or under.

(c)Parent is any person having legal custody of a minor (1) as a natural or adoptive parent, (2) as a legal guardian, and (3) any other person who has the legal custody of the minor.

(d)The term remain as used in this Ordinance shall mean to stay behind, to tarry and to stay unnecessarily upon the streets of The Town of Camden including congregating of minors in groups in which any minor involved would not be using the streets for ordinary or serious purposes such as mere passage or going home.

(e)The term street shall mean a way or place, of whatsoever nature, open to the use of the public for purposes of vehicular traffic or in the case of sidewalks for pedestrian traffic. The term street includes the right-of-way including traffic lanes, the curb, and sidewalks whether paved or unpaved, any grass plots or other grounds found within the right-of-way of a street.

(f)Chief of Police shall mean Chief of Police of the Town of Camden.

(g)Town Manager shall mean Town Manager of the Town of Camden.

(h)Recurring night time activities shall mean activity of a minor that occurs on more than two (2) nights during any one month period.

Section 10

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 11

To assist minors and other interested parties in recognizing the curfew hours, the Town curfew horn shall blow at 9:45 each evening.

Historical Note: Adopted August 29, 1961

State Law Reference: 30 MRSA, Sec. 1917, Sec. 2151

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART I-D VICTUALERS LICENSE ORDINANCE

Section 1 - Preamble

The Town of Camden hereby adopts the following Victualers License Ordinance in order to regulate the sale of food or drink prepared for consumption on the premises by the public. The purpose of this Ordinance is also to protect the welfare, safety and health of the citizens of the Town of Camden and other members of the public who purchase food or drink in the Town.

Section 2 - Authority

This Ordinance is enacted pursuant to, and in accordance with, the provisions of Title 30-A M.R.S.A., Section 3812, Section 3813 and the Home Rule Authority granted to the Town in accordance with the provisions of Title 30-A M.R.S.A., Section 3001. This Ordinance is intended to implement the provisions of Title 30-A, Section 3801 through Section 3823 concerning regulations regarding Victualers Licenses in the Town of Camden.

Section 3 - Definitions.

- 3.1 Licensing Board- The municipal officers of the Town.
- 3.2 License- A License issued pursuant to this Ordinance.
- 3.3 Licensee- Any person who maintains an unexpired License pursuant to this Ordinance.
- 3.4 Innkeeper- Any person who keeps an inn, hotel or motel, or other lodging establishment to provide lodging to travelers and others for compensation.
- 3.5 Person- Any individual, person, firm, corporation, association, partnership or organization.
- 3.6 Victualer- Any person who serves food or drink prepared for consumption on the premises by the public.

Any term or word in this Ordinance which is not defined in this section shall have a meaning consistent with the provisions of Title 30-A M.R.S.A., Section 3801 through Section 3823.

Section 4 - License Required

No person may operate as an innkeeper, victualer, or tavern keeper without a License issued hereunder.

Section 5.0- Applications

Every person required to procure a License under the provisions of this Ordinance shall submit an application for such License to the Municipal Officers or their designated agent.

5.1 Form

Each application shall be in a form prescribed by the Licensing Board.

5.2 Contents

The application for a Victualers License shall set forth the following information:

- (a) the name, address and telephone number of the applicant;
- (b) the type of food or drink prepared for consumption on the premises by the public, the location of the premises and a brief description of the food and drink services offered by the applicant at that premises;
- (c) any additional information, including information concerning the approval criteria set forth below, the Licensing Board shall find reasonably necessary to a determination whether a License should issue.

5.3 Approval Process

The Licensing Board shall, within 20 days of receiving a License application, notify the applicant whether the application is complete. If the application is determined to be incomplete, the Licensing Board shall notify the applicant in writing of the specific information necessary to complete it. It shall be the responsibility of the applicant to provide any additional information or documents requested by the Licensing Board. Within 20 days after the application is determined to be complete, the Licensing Board shall decide whether or not to issue a License.

5.4 Criteria for Issuance of a License

The Licensing Board shall, within 40 days of receiving a license application which is considered complete, issue a License to any applicant who demonstrates good moral character and who meets the following requirements:

- (1) The applicant has not been convicted of a crime in the State of Maine or in any other jurisdiction which is punishable by one year or more imprisonment or for any other crime committed with the use of a dangerous weapon or of an offense involving the use of a firearm against another person within five (5) years of the date of application.
- (2) There is no formal charging instrument now pending against the applicant in the State of Maine or any other jurisdiction for a crime which is punishable by one year or more of imprisonment or for any other crime allegedly committed by the applicant with the use of a dangerous weapon or of an offense involving use of a firearm against another person.
- (3) The applicant has not been adjudicated to be an incapacitated person pursuant to State Law or, if such adjudication has occurred, that designation has been removed by order under Title 18-M.R.S.A., Section 5-307 (b).
- (4) The applicant has not been dishonorably discharged from the military forces within the past five (5) years.
- (5) The applicant is not an illegal alien.

(6) The applicant has not had three or more convictions for crimes punishable by less than one year imprisonment within five (5) years of the date of the application.

(7) The applicant has not been adjudicated as having committed a juvenile offense pursuant to the laws of the State of Maine or any jurisdiction within five (5) years of the date of application.

(8) The applicant shall submit a copy of a current license issued by the Department of Human Services of the State of Maine for the provision of food or drink prepared for consumption on the premises by the public. In the event that the applicant has not received such a License, the Licensing Board is authorized to issue a Conditional License contingent upon submission of satisfactory proof of a current License from the Department of Human Services within 90 days of the date of issuance of the Conditional License.

(9) All applicants shall submit satisfactory proof that the applicant's premises is connected to the public sewer or that the premises utilizes an approved septic disposal system in conformity with applicable State and local laws, ordinances and regulations.

(10) The applicant shall demonstrate to the Licensing Board that the applicant has adequate provision for storage and disposal of waste and garbage generated on the applicant's premises. Containers for the storage of garbage shall be covered. Such containers shall be located in a separate room or, if stored outside the applicant's premises, those containers shall be stored on a concrete or macadam base, or on a surface which is readily washable. Any containers located outside the applicant's premises shall have an enclosure around the containers which is no less than three (3) feet in height in order to prevent entrance by dogs and other animals.

(11) All applicants operating establishments which cook food on the premises shall have a vent from the cooking area to the outside of the applicant's premises. The location of that vent shall not cause an unreasonable nuisance to any abutting property owner or to the public in consequence of fumes, grease, odor, smoke or noise.

(12) With the license application, the applicant shall sign an authorization permitting the Fire Chief or designated agent to inspect the establishment that is the subject of the application. Prior to issuance of said license, the applicant shall meet the criteria of the Life Safety Code as referenced in the Camden Fire Protection and Prevention Ordinance.

5.5 License Renewal Period

The criteria for a License renewal shall be the same criteria set forth in Section 5.4 for the issuance of the initial license.

5.6 Conditional License

In the event that an applicant is unable to meet the criteria of Section 5.4 (8) through (12) prior to the date of consideration of the License by the Licensing Board, the Licensing Board shall have authority to issue a Conditional License contingent upon submission of satisfactory proof of compliance with those criteria within (90) days of issuance of the Conditional License.

Section 6 - Licensee's Duty to Update

It shall be the responsibility of every licensee who experiences changed circumstances material to the License to notify the Licensing Board of those changed circumstances within ten (10) days of any such change. It shall be the responsibility of every Licensee to conform to the approval criteria set forth in Section 5.4 during the term of the License.

Section 7 - Fees

The annual fee for a new License or renewal of a License shall be \$20.00. The fee shall be paid to the Town of Camden at the time the application is submitted, and that fee is non-refundable.

Section 8 - Posting of License

Any License issued hereunder shall be posted in a conspicuous area on the licensed premises.

Section 9 - License Expiration

All Licenses issued under this Ordinance shall expire one year after the date of issuance, unless revoked or suspended prior to expiration in accordance with the provisions of Section 13.0 of this Ordinance.

Section 10 - Exemption

Notwithstanding the provisions of Section 4.0 of this Ordinance, any non-profit organization, for charitable causes, shall be exempt from the requirements of this Ordinance, except as otherwise stated in this Subsection, to the extent that such organization offers food or drink for consumption by the public, for charitable causes, on no more than twelve (12) occasions during each license year. For non-profit organizations within the meaning of this exemption, the License fee shall be \$1.00 for the license year, and the Licensing Board shall issue a License upon submission of certification from the non-profit applicant that the applicant meets the criteria of Section 5.4 (1) through (7) of this Ordinance.

Section 11 - Inspection

The Code Enforcement Officer shall be granted access to any Licensed Premises, upon twenty-four (24) hours prior written notice delivered to the Licensee, or to any person operating a premises subject to this Ordinance, for purposes of inspecting the premises to ensure compliance with this Ordinance.

Section 12 - Non-Transferable License

Any License issued hereunder shall not be transferable. Any person subject to this Ordinance must obtain the License required by the Department of Human Services of the State of Maine, which is also not transferable.

Section 13 - Revocation or Suspension of License, Hearing

13.1 Applicability. This Section applies to all Licenses issued pursuant to this Ordinance.

13.2 Revocation or Suspension of License. The Licensing Board shall enforce this Ordinance and shall prosecute all offenders. The Licensing Board may revoke or suspend a License for any period of time that it considers proper and for any cause it considers satisfactory including, but not limited to:

- (a) violation of this Ordinance, or non-compliance with the requirements of Section 5.4;
- (b) violation of any License conditions; or
- (c) falsehoods, misrepresentations, or omissions in the License application.

13.3 Hearing. A License may not be revoked or suspended under this Ordinance until after an investigation and hearing have been conducted. The Licensing Board shall serve notice of the hearing on the Licensee personally or by certified mail at least three (3) days before the time set for hearing, and shall conduct the hearing. At any hearing held pursuant to this Section, the Licensee must be given an opportunity to:

- (a) hear the evidence in support of the charge against the Licensee and to cross-examine alone or through counsel, the witnesses; and
- (b) be heard in the Licensee's own defense.

Section 14 - Appeal

An aggrieved party may appeal any decision of the Licensing Board to issue a License, deny a License, or revoke or suspend a License to the Superior Court within 30 days of the date of the written decision. In all instances, the Licensing Board shall issue a written decision, and such decision shall be sent to the applicant or Licensee.

Section 15 - License Conditions; Scope of License

The Licensing Board shall have the authority to issue a License subject to reasonable conditions. Any License issued by the Licensing Board must specify the building or buildings in which the business of the licensed premises will be conducted.

Section 16 - License Applications, Renewal Licenses, and Meetings of the Licensing Board

Every person subject to the licensing requirements of this Ordinance shall apply annually prior to April 15, for a license or license renewal from the municipal officers as the Licensing Board. The Licensing Board shall meet annually during the month of May on a date, time and place as determined by the Licensing Board. At least seven days before the meeting, the Licensing Board must post notices of the meeting, stating the purpose of the meeting in at least two places in the Town of Camden. For applications for new Licenses or renewals submitted more than thirty (30) days before or thirty (30) days after April 15 of each year, the Licensing Board may consider those licenses at a time different than the annual meeting of the Licensing Board during the month of May. The Licensing Board may meet at any other time at a meeting specially called and with public notice, as provided above.

Section 17 - Penalties

Any person who violates the provisions of this Ordinance or fails to seek a License renewal which is required by this Ordinance shall commit a civil violation from which a penalty of \$50.00 may be adjudged, upon a complaint by the municipality to the District Court or the Superior Court. Each day of continued violation shall constitute a separate offense which subjects the violator to a penalty of \$50.00 for each day of violation.

Section 18 - Severability

The provisions of this Ordinance shall be severable. If any portion of this Ordinance is held to be invalid, the remainder of this Ordinance and its application thereof shall not be affected.

Section 19 - Other Laws and Ordinances

In addition to compliance with this Ordinance, the applicant or any person subject to this Ordinance must also comply with all other federal, state and local laws and ordinances concerning the Licensed Premises, specifically including the Zoning Ordinance of the Town of Camden. The issuance of a License pursuant to this Ordinance does not constitute any approval within the meaning of the Zoning Ordinance of the Town of Camden. In addition to penalties set forth in Section 17.0, a person who violates this Ordinance shall be subject to the remedies set forth in Title 30-A M.R.S.A., Section 4452 (C), (C-1) and (D).

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

**PART I-E
LODGING ESTABLISHMENT LICENSING ORDINANCE**

Section 1 - Preamble

The Town of Camden hereby adopts the following Lodging Establishment Licensing Ordinance to provide for the orderly enforcement of regulations, limitations, restrictions and other requirements relating to the operation of Lodging Establishments.

Section 2 - Authority. This Ordinance is enacted pursuant to and in accordance with, the provisions of Title 30-A M.R.S.A., Section 3811 (1) and the Home Rule Authority granted to the Town in accordance with the provisions of Title 30-A M.R.S.A., Section 3001.

Section 3 - Definitions.

3.1 Lodging Establishment- An overnight accommodation with sleeping arrangements provided for a fee which is considered, for purposes of this Ordinance, to be either an inn or a hotel/motel, as defined below:

Inn- A type of lodging based in the permanent dwelling of the person or family acting as proprietor and that lodging accommodates, for a fee, travelers and other transient guests who are staying for a limited duration. An inn (1) has ten or fewer sleeping rooms offered for rent; (2) does not provide fullservice dining, but may serve breakfast and/or an afternoon snack to guests only; and (3) may be allowed to host up to eight special functions per year, including the serving of meals to such gatherings, provided that written notification is provided to the Code Enforcement Officer and the parking for such functions is provided on-site or through other off-street arrangements.

Hotel/Motel- A commercial building or group of buildings built or converted to accommodate, for a fee, travelers and other transient guests.

A hotel or motel facility may include restaurant facilities where food is prepared and meals served only to its overnight guests.

3.2 Licensing Board- The municipal officers of the Town.

3.3 License- A license issued pursuant to this Ordinance.

3.4 Licensee- Any person who maintains an unexpired license pursuant to this Ordinance.

3.5 Operator- Any person who operates a Lodging Establishment.

3.6 Person- Any individual, person, firm, corporation, association, partnership, or organization.

Section 4 - License required

No person may operate a Lodging Establishment without a License issued hereunder. No person shall operate a Lodging Establishment with more rental rooms than set forth in a License issued hereunder.

Section 5 - Applications

Every person required to procure a License under the provisions of this Ordinance shall submit an application for such License to the Municipal Officers or their designated agent.

5.1 Form- Each application shall be in a form prescribed by the Licensing Board.

5.2 Contents- The application for a Lodging Establishment License shall set forth the following information.

- (a) the name, address, and telephone number of the applicant
- (b) the number of rooms available for rent to the public; and floor plan of the establishment;
- (c) any additional information the Licensing Board shall find reasonably necessary to a determination as to whether a License should issue.

5.3 Approval process. The Licensing Board shall, within 20 days of receiving a License application, notify the applicant whether the application is complete. If the application is determined to be incomplete, the Licensing Board shall notify the applicant in writing of the specific information necessary to complete it. It shall be the responsibility of the applicant to provide information that documents the authorized capacity of the Lodging Establishment. Within 20 days after the application is determined to be complete, the Licensing Board shall decide whether or not to issue a license.

5.4 Criteria for issuance of License. The Licensing Board shall within forty (40) days of receiving a license application which is considered complete, issue a license to any operator who demonstrates good moral character and who meets the following requirements:

- (1) The operator has not been convicted of a crime in the State of Maine or in any other jurisdiction which is punishable by one year or more imprisonment or for any other crime committed with the use of a dangerous weapon or of an offense involving the use of a firearm against another person within five (5) years of the date of application.
- (2) There is no formal charging instrument now pending against the operator in the State of Maine or any other jurisdiction for a crime which is punishable by one year or more of imprisonment or for any other crime allegedly committed by the operator with the use of a dangerous weapon or of an offense involving use of a firearm against another person.
- (3) The operator has not been adjudicated to be an incapacitated person pursuant to State law or, if such adjudication has occurred, that designation has been removed by order under Title 18-A M.R.S.A., Section 5-307 (b).

(4) The operator has not been dishonorably discharged from the military forces within the past five (5) years.

(5) The operator is not an illegal alien.

(6) The operator has not had three or more convictions for crimes punishable by less than one year imprisonment within five (5) years of the date of the application.

(7) The operator has not been adjudicated as having committed a juvenile offense pursuant to the laws of the State of Maine or any other jurisdiction within five (5) years of the date of application.

(8) With the license application, the operator shall sign an authorization permitting the Code Enforcement Officer to inspect the Lodging Establishment. Prior to issuance of a License, the Code Enforcement Officer shall notify the Licensing Board by an appropriate signed notation on the application form that the Code Enforcement Officer concludes, that the Lodging Establishment complies with the Zoning Ordinance of the Town of Camden. Under no circumstances shall the Code Enforcement Officer's conclusions based upon an inspection be considered any official determination by the Code Enforcement Officer that the operator complies with the Zoning Ordinance of the Town of Camden for purposes of the administration or enforcement of that Zoning Ordinance.

(9) With the license application, the applicant shall sign an authorization permitting the Fire Chief or designated agent to inspect the establishment that is the subject of the application. Prior to issuance of said license, the applicant shall meet the criteria of the Life Safety Code as referenced in the Camden Fire Protection and Prevention Ordinance.

5.5 Existing Lodging Establishments. All operators of existing Lodging Establishments shall apply for a License pursuant to this Ordinance within 120 days of the effective date of this Ordinance.

5.6 License renewal. The criteria for a license renewal shall be the same criteria set forth in Section 5.4 for the issuance of the initial license.

5.7 Conditional License. In the event that the inspections of the Code Enforcement Officer or the Fire Chief as required in Section 5.4 do not occur prior to the Licensing Board's meeting to consider the License, the Licensing Board shall have the authority to issue a Conditional License contingent upon satisfactory inspections within 120 days of the date of issuance of the Conditional License

Section 6 - Licensee's duty to update

It shall be the responsibility of every Licensee who intends to increase the number of rooms rented to the public during the term of an unexpired License to file an application for said increase with the Licensing Board no later than 30 days prior to offering the additional room(s) for rent. If the increase in rooms to be offered for rent results in an increase in fee categories outlined in Section 7.0 of this Ordinance, then the Licensee shall also submit a pro rata share of the additional fees required under that Section. No reimbursement shall be provided when the number of rooms available for rent is reduced during

the term of any unexpired License. It shall be the responsibility of every Licensee to continue to conform to the approval criteria set forth in Section 5.4 during the term of the License and the Licensee shall report any change of circumstances pertinent to the approval criteria during the term of the License within ten (10) days of any such change of circumstances.

Section 7 - Fees

The applicant shall pay at the time of filing an application for a License a fee according to the following schedule:

Number of Bedrooms	Fee
1	\$10.00
2 or more	\$10.00 + 1.00 for each bedroom in excess of one bedroom

Section 8.0- Posting of License

Any License issued hereunder shall be posted in the lobby area of the Lodging Establishment.

Section 9.0- License expiration

All licenses issued under this Ordinance shall expire one year after the date of issuance unless revoked or suspended prior to expiration in accordance with the provisions of Section 12.0 of this Ordinance.

Section 10.0- Inspection

10.1 Right of access. The Code Enforcement Officer shall be granted access to any Lodging Establishment, upon twenty-four (24) hours prior written notice delivered to the Operator or Licensee of said establishment, for purposes of inspecting the premises to ensure compliance with this Ordinance.

10.2 Guest registration records. The Code Enforcement Officer shall be provided access to guest registration records maintained by the Operator or Licensee for the purpose of determining the number of rooms being rented to the public as required by Title 30-A, Section 3821, M.R.S.A.

Section 11.0- Transferability

Any License issued hereunder shall be transferable upon submission of written certifications by the Code Enforcement Officer and the Fire Chief as required by Section 5.4 of the Ordinance and so long as the subsequent operator meets the other criteria set forth in Section 5.4 of the Ordinance. Written notice of transfer demonstrating compliance with those requirements shall be submitted to the Licensing Board.

Section 12.0- Revocation or Suspension of License, Hearing

12.1 Applicability. This section applies to all Licenses issued pursuant to this Ordinance.

12.2 Revocation or suspension of License. The Licensing Board shall enforce this Ordinance and shall prosecute all offenders.

The Licensing Board may revoke or suspend a License for any period of time that it considers proper and for any cause it considers proper and for any cause it considers satisfactory including, but not limited to:

- (a) violation of this Ordinance, or non-compliance with the requirements of Section 5.4; or
- (b) violation of any License conditions; or
- (c) violation of the Zoning Ordinance of the Town of Camden; or
- (d) falsehoods, misrepresentations or omissions in the License application; or
- (e) violation of the Fire Code or violation of the safety regulations established by the Fire Chief.

12.3 Hearing. A License may not be revoked or suspended under this Ordinance until after an investigation and hearing have been conducted. The Licensing Board shall serve notice of the hearing on the Licensee personally or by certified mail at least three (3) days before the time set for hearing, and shall conduct the hearing. At any hearing held pursuant to this Section, the Licensee must be given an opportunity to:

- (a) hear the evidence in support of the charge against the Licensee and to cross-examine alone or through counsel, the witnesses; and
- (b) be heard in the Licensee's own defense.

Section 13 - Appeal

An aggrieved party may appeal any decision of the Licensing Board to issue a License, deny a License, or revoke a License or suspend a License to the Superior Court within 30 days of the date of the written decision. In all instances, the Licensing Board shall issue a written decision and such decision shall be sent to the applicant or the Licensee.

Section 14 - License Conditions; Scope of License

The Licensing Board shall have the authority to issue a License subject to reasonable conditions. Any License issued by the Licensing Board must specify the building or buildings in which the business of the Lodging Establishment will be conducted.

Section 15 - License Applications, renewal licenses, and meetings of the Licensing Board

Except for operators of existing Lodging Establishments within the meaning of Section 5.5, every operator of a Lodging Establishment shall apply annually prior to April 15, for a License or a License renewal from the municipal officers as the Licensing Board. The Licensing Board shall meet annually during the month of May on a date, time and place as determined by the Licensing Board. At least seven days before the meeting, the Licensing Board must post notices of the meeting stating the purpose of the meeting in at least two places in the Town of Camden. For applications for new Licenses or renewals submitted more than thirty (30) days before or thirty (30) days after April 15 of each year, the Licensing Board may consider those Licenses at a time different than the annual meeting of the Licensing Board during the month of May. The Licensing Board may meet at any other time at a meeting specially called and with public notice as provided above.

Section 16 - Penalties

Any person who violates the provisions of this Ordinance or fails to seek a License renewal which is required by this Ordinance shall commit a civil violation from which a penalty of \$50.00 may be adjudged, upon a complaint by the municipality to the District Court or the Superior Court. Each day of continued violation shall constitute a separate offense which subjects the violator to a penalty of \$50.00 for each day of violation.

Section 17 - Severability

The provisions of this Ordinance shall be severable. If any portion of this Ordinance is held to be invalid, the remainder of this Ordinance and its application thereof shall not be affected.

Section 18 - Other Laws and Ordinances

In addition to compliance with this Ordinance, the operator or any person subject to this Ordinance, must also comply with all other federal, state and local laws and ordinances concerning the Lodging Establishment, specifically including the Zoning Ordinance of the Town of Camden. The issuance of a License pursuant to this Ordinance does not constitute any approval within the meaning of the Zoning Ordinance of the Town of Camden. In addition to penalties set forth in Section 16.0, a person who violates this Ordinance shall be subject to the remedies set forth in Title 30-A M.R.S.A., Section 4452 (c), (c-1) and (D).

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

Part II-A Amusement Permits

Rules and Regulations Governing the Issuance, Suspension and
Revocation of
Special Amusement Permits for The Town of Camden

ARTICLE I

Section 1 Title

These Rules and Regulations shall be known and may be cited as Special Amusement Rules and Regulations of the Town of Camden, Maine. These Rules and Regulations are codified pursuant to Title 28, MRSA Sec. 702 and an Ordinance duly enacted by the Town of Camden at a regularly constituted Town meeting on the 13th day of March, 1978.

Section 2 Purpose

The purpose of these Rules and Regulations is to control the issuance of special permits for music, dancing or entertainment in facilities licensed by the State of Maine to sell liquor as required by Title 28, MRSA Sec. 702.

Section 3 Definitions

(a)Entertainment. For the purposes of these Rules and Regulations, "entertainment" shall include any amusement, performance, exhibition or diversion for patrons or customers of licensed premises whether provided by professional entertainers or by full-time or part-time employees of the licensed premises whose incidental duties include activities with an entertainment value.

(b)Licensee. For purposes of these Rules and Regulations, "licensee" shall include the holder of a license issued under the Alcoholic Beverages Statutes of the State of Maine, or any person, individual, partnership, firm, association, corporation, or other legal entity, or any agent, or employee of any such licensee.

(c)Tumultuous Conduct. For purposes of these Rules and Regulations, tumultuous conduct shall be defined as conduct of such nature and magnitude as to require or to cause the involvement of the police department of the Town of Camden or the involvement of other law enforcement authorities.

(d)Unnecessary Noise. For purposes of these Rules and Regulations, unnecessary noise shall constitute noise of such a level and duration that said noise is both clearly audible outside the premises for which a permit has been issued and sufficiently irritating to disturb the residents in the neighborhood where this establishment is located.

ARTICLE II General

Section 1 Permit Required

No licensee for the sale of liquor to be consumed on a licensed premises shall permit, on a licensed premises, any music, except radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained from the municipality in which the licensed premises are situated a special amusement permit signed by at least a majority of the municipal officers.

With the license application, the applicant shall sign an authorization permitting the Fire Chief or designated agent to inspect the establishment that is the subject of the application. Prior to issuance of said license, the applicant shall meet the criteria of the Life Safety Code as referenced in the Camden Fire Protection and Prevention Ordinance.

Applications for all special amusement permits shall be made in writing to the municipal officers and shall state the name of the applicant; his residence and address; the name of the business to be conducted; his business address; the nature of his business and type of entertainment; the location to be used; whether the applicant has ever had a license to conduct the business therein described either denied or revoked and, if so, the applicant shall describe those circumstances specifically; whether the applicant, including all partners or corporate officers, has ever been convicted of a felony and, if so, the applicant shall describe specifically those circumstances; and any additional information as may be needed by the municipal officers in the issuing of the permit, including but not limited to a copy of the applicant's current liquor license.

No permit shall be issued for any thing, or act, or premises, if the premises and building to be used for the purposes do not fully comply with all ordinances, articles, by-laws, or rules and regulations of the municipality.

The fee for a special amusement permit shall be \$20.00

The municipal officers shall, prior to granting a permit and after reasonable notice to the municipality and the applicant, hold a public hearing within 15 days of the date that the request was received, at which the testimony of the applicant and that of any interested members of the public shall be taken.

The municipal officers shall grant a permit unless they find that the issuance of the permit would be detrimental to the public health, safety or welfare, or would violate municipal ordinances, or rules and regulations, articles or by-laws.

A permit shall be valid only for the license year of the applicant's existing liquor license.

(a) Public notice of the date of the hearing shall be published in a newspaper of general local circulation no less than seven days prior to the date of the hearing on this matter.

(b) The municipal officers shall be governed by the standards of Article II, Section 4 in the issuance, revocation, or suspension of a permit hereunder.

Section 2 Inspections

Whenever inspections of the premises used for or in connection with the operation of a licensed business which has obtained a special amusement permit are provided for or required by ordinances or State law, or are reasonably necessary to secure compliance with any ordinance provision, State law, or municipal rules and regulations, it shall be the duty of the licensee, or the person in charge of the premises to be inspected, to admit any officer, official, or employee of the municipality authorized to make the inspection at any reasonable time that admission is requested.

Whenever an analysis of any commodity of material is reasonably necessary to secure conformance with any ordinance provision or State law, it shall be the duty of the licensee, or the person in charge of the premises, to give to any authorized officer, official, or employee of the municipality requesting the same sufficient samples of the material or commodity for analysis.

In addition to any other penalty which may be provided, the municipal officers may revoke the special amusement permit of any licensee in the municipality who refuses to permit any such officer, official, or employee to make an inspection or take sufficient samples for analysis, or who interferes with such officer, official or employee while in the performance of his duty. Provided, that no license or special amusement permit shall be revoked unless written demand for the inspection or sample is made upon the licensee or person in charge of the premises seven days prior to the time it is sought to make the inspection.

Section 3 Suspension or Revocation of a Permit

The municipal officers may, after a public hearing preceded by written public notice to interested parties, suspend, or revoke any special amusement permits which have been issued under these Rules and Regulations on the grounds that the music, dancing, or entertainment so permitted constitutes a detriment to the public health, safety, or welfare, or violates any municipal ordinances, articles, by-laws or rules and regulations.

(Public notice to interested parties shall consist of notice published in a local newspaper of general circulation at least seven days prior to the date of the hearing.)

Section 4 Standards

The municipal officers hereby adopt the following standards for the issuance of a special amusement permit and for the suspension or revocation of such permits.

- (1) Hours of operation. The permitted activities under a special amusement permit shall cease no later than 11:00 p.m. in a residential zone as defined by the Zoning Ordinances of the Town of Camden except that permitted activities shall cease no later than 12:00 midnight in a residential zone on New Year's Eve; and no later than 12:30 a.m. in a commercial zone as defined by the Zoning Ordinances of the Town of Camden except that permitted activities shall cease no later than 1:30 a.m. in a commercial zone on New Year's Eve. It shall be deemed detrimental to the public safety or welfare for entertainment of

the type requiring special amusement permit to occur between the hours of 11:00 p.m. and 6:30 a.m. (12:00 midnight -- 6:30 a.m. on New Year's Eve) in a Rural Zone as defined by Section IV, Article 1, in a Residential 2 Zone as defined by Section IV, Article 2, a Residential 1 Zone as defined by Section IV, Article 3, an Industrial Zone as defined by Section IV, Article 6, and in a Shoreland Zone as defined in Section IV, Article 7 of the Zoning Ordinances of the Town of Camden; and, 12:30 a.m. to 6:30 a.m. (1:30 a.m. -- 6:30 a.m. on New Year's Eve) in the following zones: Business Zone 2 as defined by Section IV, Article 4, Business Zone - Down Town - B-1 as defined by Section IV, Article 5, and Harbor and Business Zone as defined by Section IV, Article 8 of the Zoning Ordinances of the Town of Camden.

(2) There shall be no amplified music in a residential zone under any circumstances. For purposes of these Rules and Regulations, "amplified music" shall include any amplification of sound produced by musical instruments for the provision of entertainment.

(3) The facilities on a premises receiving a permit under the terms of these Rules and Regulations shall be adequate to assure the safety of all patrons of that establishment and shall comply with all State laws and ordinances regarding such an establishment.

(The seating capacity in all zones shall be subject only to the requirement of other State laws or municipal ordinances as to capacity.)

Section 5

Incidents of tumultuous conduct shall be grounds for the suspension or revocation of a permit following notice and hearing and subject to the procedures of Article II, Section 3 of these Rules and Regulations. The licensee of the permit hereunder shall not permit tumultuous conduct in his establishment at any time. Incidents or occurrences of tumultuous conduct as defined herein twice in one week or three times in one month shall be such conduct constituting grounds for suspension or revocation of the permit following

Notice and hearing and upon the finding of fact that the owner or manager of said establishment took no reasonable actions to abate this conduct shall be prima facie evidence of a condition detrimental to the public health, safety or welfare of the community.

(a) An instance of tumultuous conduct involving more than five people shall constitute riotous conduct. One such instance or occurrence of riotous conduct shall be such conduct constituting grounds for suspension or revocation of the permit following notice and hearing and upon a finding of fact that the owner or manager of said establishment took no reasonable actions to abate this conduct shall be prima facie evidence of a condition detrimental to the public health, safety or welfare of the community.

(b) Unnecessary noise as defined herein constitutes a detriment to the public health, safety or welfare. More than three (3) complaints of unnecessary noise reported to the Chief of Police within any year that a licensee has a permit may cause the municipal officers to

consider revocation or suspension of the permit following notice of hearing to interested parties as prescribed herein. Following the hearing, the receipt of three (3) additional complaints by the Chief of Police may cause the municipal officers to call a further hearing to consider revocation or suspension of the permit following notice of hearing to interested parties as prescribed herein and any three (3) additional complaints after any hearing to consider revocation or suspension may cause the municipal officers to call a further hearing in the same manner as prescribed herein. Any outstanding complaints of unnecessary noise for a prior license year of a licensee with a Special Amusement permit shall not be considered after the beginning of a new license year of that licensee for purposes of determining the existence of more than three (3) complaints of unnecessary noise to reinstate the permit if it finds that the permitted activities would not constitute a detriment to the public health, safety or welfare, or that the denial, revocation or suspension was arbitrary or capricious, or that the denial, revocation, or suspension was not based by a preponderance of the evidence on a violation of any ordinance, article, by-law, or rule or regulation of the municipality. (Amended--Special Town Meeting, December 28, 1978)

ARTICLE III Admission

A licensed hotel, Class A restaurant, Class A tavern or restaurant malt liquor licensee who has been issued a special amusement permit may charge admission in designated areas approved by the municipal special amusement permit.

ARTICLE IV Penalty

Section 1 Fine

Whoever violates any provision of this ordinance shall be punished by a fine of not more than fifty dollars (\$50.00) for the first offense and up to one hundred dollars (\$100[.00) for each subsequent offense, to be recovered, on complaint, to the use of the Town of Camden.

ARTICLE V Separability

Section 1

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

ARTICLE VI Effective Date

Section 1

The effective date of these Rules and Regulations shall be July 1, 1978.

Historical Note: Adopted March 13, 1978, as amended December 28, 1978 and December 26, 1979; November 4, 2008
State Law Reference: 28 M RSA, Sec. 702

CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE
PART II-B Bottle Clubs
Ordinance for the Licensing of Bottle Clubs for the Town of Camden

ARTICLE I

Section 1 Title

This Ordinance shall be known and may be cited as an Ordinance for the Licensing of Bottle Clubs in the Town of Camden, Maine. This Ordinance is codified pursuant to Title 30, Maine Revised Statutes, Sec. 2151(D) and pursuant to the general police power of the municipality.

Section 2 Purpose

The purpose of this Ordinance is to control the issuance of licenses for bottle clubs in the Town of Camden and to assess an adequate licensing fee sufficient to reimburse said Town for the increased municipal cost arising from the existence of bottle clubs including increased cost for municipal police services.

Section 3 Definitions

Unless otherwise defined herein or in the text, all words used will have their common meaning. The following words and phrases have the following definitions:

(a) Bottle Club. A "bottle club" means any person operating on a regular basis a premises for social activities in which members or guests provide their own alcoholic beverages, and where no alcoholic beverages are sold on the premises. A bottle club is such a club which maintains quarters for the use of its patrons on a regular basis or charges an admission fee to patrons or to the general public. Drinking in a public place as defined in Title 17, MRSA, Sec. 2003 shall not be deemed drinking in a bottle club; and nothing contained herein shall contradict the prohibition contained in said Title 17, MRSA, Sec. 2003 concerning drinking in a public place.

(b) Person. A "person" shall mean any individual, person, firm, corporation, association, partnership, or organization.

(c) Officer. "Officer" shall mean any officer, director, stock holder, owner, manager or person who has either a financial interest of any nature in a bottle club or directs any policy of a bottle club.

Section 4 Prohibition

No person including a firm, corporation, association, partnership, or organization shall keep, maintain, operate, lease, or otherwise furnish, either to its members, patrons and guests or to the general public, any premises, building, apartment, or place for use as a bottle club, without first having obtained a license as prescribed herein and paying fee therefor.

Notwithstanding any other provisions of this Ordinance, the following organizations shall not be subject to the provisions of this Ordinance, bona fide non-profit, charitable, patriotic or religious organization. Such an exempt organization under the terms of this Ordinance must in proof of its exemption exhibit to the licensing authority suitable proof of tax exemption under the then existing federal income tax code or under the laws of the State of Maine in proof of its qualification for exemption.

Section 5 Licensing Authority

Licenses shall be issued by the municipal officers, after notice and hearing on the licensee's application.

Application for a license to operate a bottle club shall be made in writing to the municipal officers and shall state the name of the applicant; his residence and address; the name of the business to be conducted; the business address; the nature of the business and the types of entertainment to be conducted at the business location; the location to be used; whether the applicant, including all partners and corporate officers, has ever been convicted of a felony; and, if so, the applicant should describe specifically those circumstances; and any additional information as may be needed by the municipal officers to make a decision concerning the issuance of a license. The written application shall be accompanied by an affidavit which will identify all officers of the applicant, and the places of residency of each officer at the present time and the place of residency for each officer for the immediately preceding three (3) years. The applicant shall also submit together with the application a release for the dissemination of the criminal history record information pertaining to the applicant and any officer of the applicant as authorized by Title 16, MRSA, Sec. 620 (6). Failure to provide such a release shall be a grounds for denial of the application.

Submission of false information in an application for a license shall be a violation of this Ordinance and such action shall be grounds for denial of the application.

The applicant shall submit the completed application to the Town Clerk, together with the required documents, and shall deposit prescribed license fee in advance with the Town Clerk.

The municipal officers shall, prior to granting a license and after reasonable notice to the municipality and the applicant as prescribed in Section 8 herein, hold a public hearing within thirty (30) days of

the date that the application was received, at which the testimony of the applicant and that of any interested members of the public should be taken.

Section 6 Qualification of Officers

All officers of a bottle club shall meet the following qualifications: no officer shall have been convicted of a Class A, B, or C crime nor of violating any of the gambling or prohibited liquor laws of the United States or of the State of Maine, or any other state, within seven (7) years immediately preceding the date of the application.

Section 7 Description of the Premises

Every applicant for a bottle club license shall include in the application a description of the premises for which a license is desired and shall set forth such other material information, description, or plan of that part of the premises where it is proposed to consume or keep liquor.

Section 8 Public Notice Concerning Issuance of License

Public notice of the date of the hearing concerning the issuance of a license shall be published in a newspaper of general or local circulation no less than seven (7) days prior to the date of the hearing on this matter.

The municipal officers shall also give written notice to the owners of all property within five hundred (500) feet of the parcel or tract of land on which such bottle club shall be located and such notice shall be given by certified mail, return receipt requested.

Section 9 Compliance with Other Laws and Ordinances

No license shall be issued for anything, act or premises, if the premises and building to be used for the purposes of a bottle club do not fully comply with all ordinances, articles, by-laws, or rules and regulations of the municipality, and provisions of state law. In the event that an applicant for a license hereunder proposes a use of the premises for which application is made which is in violation of the Zoning Ordinances of the Town of Camden, no license hereunder shall be issued until said applicant has first brought said use into compliance with the Zoning Ordinances of the Town of Camden or obtained the appropriate approval of the Zoning Board of Appeals of the Town of Camden for such use.

Section 10 Investigation and Inspection

Upon receipt of each application for a bottle club license, or notice of a change of officers, the municipal officers shall require the

following investigation which shall be completed before the date of the hearing on the applicant's license request:

(a) The Code Enforcement Officer of the Town of Camden shall verify that the premises of the proposed bottle club complies with the applicable ordinances of the Town of Camden, including but not by way of limitation, the building code, electrical code, plumbing code, and the Zoning Ordinance; and said

Officer shall report his findings in writing to the municipal officers.

(b) The Town Clerk shall review the application and other documents and determine whether such documents indicate that the requirements of the Ordinance have been met and shall report his or her findings in writing to the municipal officers.

(c) The Code Enforcement Officer shall cause inspection to be made at the proposed location of the bottle club for the purpose of determining whether the applicable ordinances relating to health and safety have received full compliance. A report of that Officer's findings shall be made in writing to the municipal officers.

(d) The Fire Chief of the Town of Camden shall cause inspection to be made of the proposed location of the bottle club for the purpose of determining whether city ordinances concerning fire and safety have been met. The Police Chief of the Town of Camden shall cause an investigation to be made of the officers of the bottle club concerning criminal record history and said Chief shall report his findings in writing to the municipal officers.

Section 11 Standards

The municipal officers hereby adopt the following standards in the issuance of a license for a bottle club and for the suspension or revocation of such a license:

(a) The municipal officers shall not grant a license in the event that said officers find that the issuance of the license would be detrimental to the public health, safety or welfare, or would violate municipal ordinance, or rules and regulations, articles or by-laws.

(b) The facilities on the premises receiving a license under the terms of this Ordinance shall be adequate to assure the safety of all patrons of that establishment and shall comply with all state laws and ordinances regarding such an establishment.

(c) Seating capacity in all zones shall be subject to the requirements of other state laws and municipal ordinances as to capacity.

(d) Under no circumstances shall any bottle club as defined in this Ordinance be permitted in a rural zone, residential-2 zone, residential-1 zone, or a shoreland zone in the Town of Camden as defined by the Zoning Ordinances of the Town of Camden. Subject

to the provisions contained in this Ordinance, the bottle club shall be permitted only in a business zone-2 as defined by Section IV, Article 4; a business zone (downtown) B-1 as defined by Section IV, Article 5; and a harbor and river business zone as defined by Section IV, Article 8, of the Zoning Ordinances of the Town of Camden. Permitted activities under such a license in said zones shall cease no later than 12:30 a.m. in said business zones. It shall be deemed detrimental to the public safety or welfare for such permitted activities under said license to occur between the hours of 12:30 a.m. and 6:30 a.m. in said business zones.

(e) No licensee under the terms of this Ordinance for a bottle club shall be permitted to operate a bottle club unless said licensee obtains the services of an appropriate police officer or law enforcement officer during all of the hours of operation of said bottle club. Services of such a police officer or law enforcement officer shall be obtained solely at the expense of said licensee.

(f) No license shall be granted to any applicant who has not permitted access to the premises of the applicant for the investigation of an applicant as required in Section 10 herein; and no license shall be granted to any applicant who has not fully cooperated with such an investigation.

Section 12 Entertainment License

No licensee shall permit, on his licensed premises, any music, dancing or entertainment which require a special amusement permit, unless the licensee shall have first obtained a special amusement permit pursuant to the requirements of the rules and regulations governing the issuance, suspension and revocation of special amusement permits for the Town of Camden.

Section 13 Hours of Bottle Club

The premises used as a bottle club shall be closed and vacated by members and guests each day during the hours as specified in Section 11 (d) of this Ordinance. During the hours that the bottle club must remain closed, no members, guests, or other persons, other than regular employees, may be on or remain therein, and the use by anyone of the premises or facilities of the bottle club for the drinking of alcoholic beverages during such hours when the bottle club must remain closed is prohibited.

Section 14 Minors Not Permitted on Bottle Club Premises

No person under the age of twenty (20) years shall be permitted in or on that part of the premises subject to the control of any bottle club where persons are permitted to drink alcoholic beverages.

Section 15 Illegal Activities

No licensee shall permit any illegal activities to take place on the licensed premises. Such licensed premises shall be subject to inspection by state, county or municipal law enforcement officers at any time, at the request of the municipal officers.

Section 16 License Restriction

A license to operate a bottle club, as provided for by this Ordinance, may be denied, suspended, or revoked by the municipal officers, after notice and hearing, for a violation of or a failure to comply with any of the provisions of this Ordinance.

Public notice to interested parties shall consist of notice published in a local newspaper of general or local circulation at least seven (7) days prior to the date of the hearing.

Section 17 Appeal Procedures

Any applicant requesting a license from the municipal officers shall be notified in writing of the decision of those officers no later than fifteen (15) days from the date of hearing on said request. In the event that an applicant is denied a license, the applicant shall be provided with the reasons for such denial in writing. The applicant may not reapply for a license until the expiration of sixty (60) days after an application for a license has been denied.

Any applicant who has requested a license and has been denied, or whose license has been revoked or suspended, may, within thirty (30) days of the date of denial, suspension, or revocation, appeal the decision to the municipal Board of Appeals as defined in 30 MRSA, Sec. 2411. A municipal Board of Appeals may grant or reinstate the permit if it finds that the permitted activities would not constitute a detriment to the public health, safety, or welfare, or that the denial, revocation or suspension was arbitrary or capricious, or that the denial, revocation, or suspension was not based upon a violation of any ordinance, article, by-law, or rule or regulation of the municipality.

An appeal from a decision of the Zoning Board of Appeals of the Town of Camden shall be taken by any party to the Superior Court in accordance with the provisions of Title 30, MRSA, Sec. 2411 (3) (F).

Section 18 Expiration Period

All licenses issued pursuant to this Ordinance shall expire on the last day of June of each year.

Section 19 Location Restrictions

No new bottle club license shall be granted under this Ordinance to premises situated within three hundred (300) feet of a public or

private school, school dormitory, church, chapel or parish house, in existence as such at the time such new license is applied for except such premises as were in use as bottle clubs on the effective date of this Ordinance. A three hundred (300) foot distance shall be measured from the main entrance of the school, school dormitory, church, chapel or parish house by ordinary course of travel.

Section 20 Display of License

Every bottle club shall exhibit its license at all times in a conspicuous place on its premises.

Section 21 License Fee

The fee for a license hereon shall be One Thousand Five Hundred Dollars (\$1,500).

Section 22 Penalty

In addition to any action which the municipal officers may take pursuant to this Ordinance and in enforcement of this Ordinance, violation of any provision of this Ordinance shall be a

civil violation and a fine not exceeding Five Hundred Dollars (\$500) may be imposed for each such violation. Each day that a violation continues will be treated as a separate offense. Such fine shall be recovered, on complaint, to the use of the Town of Camden.

Section 23 Separability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

Section 24 Effective Date

The effective date of this Ordinance shall be September 8, 1980.

State Law Reference: 30 MRSA, Sec. 1917, Sec. 2151; 28 MRSA, Sec. 2 (1-A), Sec. 4, Sec. 101

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART II-C Drinking in Public

ARTICLE I

Section 1. Drinking in public place.

Any person taking a drink of liquor or offering a drink of liquor to another in a public place, except places licensed for on-premise sale of liquor, or any person taking a drink of liquor or offering a drink of liquor in any vehicle not licensed for sale of liquor shall be punished by a fine of not more than \$100.00.

Section 2. Public Place defined.

"Public Place" as used in this section shall mean, any publicly owned or operated beach, park, public landing, wharf, public library, town owned cemetery, amphitheater, sewer treatment plant, parking area or ground adjacent thereto and used in conjunction therewith, to any highway, street or land to which the public is invited or has access. The term "Public Place" shall include the Opera House hall so called, together with any parking place used in connection therewith.

Section 3. For the purpose of this section, the definition of liquor shall mean and include any alcoholic, spirituous, vinous, fermented or any other alcoholic beverage, including beer and malt liquors, or combination of liquors, or mixed liquors intended for human consumption which contains more than one-half (1/2) of one (1) percent of alcohol by volume.

Historical Note: as adopted and amended, March 14, 1977

State Law Reference:30 MRSA, Sec. 1917, Sec. 2151; 17 MRSA, Sec. 2003-A

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE
PART III-A Pets Ordinance**

Ordinance to Control Unreasonable Noise by Pets

Section 1

No person shall own, possess, harbor, or keep any dog, bird, animal, or other household pet which frequently or for continued duration makes sounds which create a noise disturbance which unreasonably annoys or disturbs a person located beyond the boundaries of the property on which that dog, bird, animal, or other household pet is located. For purposes of this ordinance, an owner of a barking dog shall be deemed in violation of this ordinance if that dog barks, bays, cries, or howls in a manner which creates a noise disturbance, as described above, continuously for a period of ten minutes or barks intermittently for one-half hour or more, in a manner which unreasonably disturbs any person at any time of day or night.

Proof of continuous, although intermittent noise occurring with great frequency for a period in excess of one-half hour, shall constitute prima facie evidence of such unreasonable or continuous noise which constitutes violation of this ordinance.

The term "pet" as used in this section shall include both household pets, farm animals, and any domestic animal whatsoever.

Section 2

The penalty for violation of this ordinance shall be a fine of Fifty Dollars (\$50.00) for the first offense, and for a period of two years after the first offense, and One Hundred Dollars (\$100.00) for any second offense, and Two Hundred and Fifty Dollars (\$250.00) for the third or any subsequent offense. For purposes of assessing the penalty, no more than one violation will be deemed to have occurred on any one day, regardless of the number of complaints lodged on that day. harbor or keep any pet including a dog or other household pet who causes annoyance to any person or neighborhood, or disturbs the quiet enjoyment of said neighborhood, by unreasonable or continuous noise, including barking, howling or making other sounds common to the species. The fact that said noise is intermittent but occurring with great frequency shall still constitute such noise that is prescribed by the Section so long as said noise is unreasonable and disturbs the quiet enjoyment of the neighborhood.

Proof of continuous although intermittent noise occurring with great frequency for a period in excess of one hour shall constitute prima facie evidence of such unreasonable or continuous noise that constitutes a violation of this Ordinance.

The term "pet" as used in this Section shall include both household pets, farm animals, and any domestic animal whatsoever.

Historical Note: Adopted at Annual Town Meeting June 13, 1995
State Law Reference: 30 MRSA, Sec. 1917, Sec. 2151; 17-A MRSA, Sec. 501; 7 MRSA, Sec. 3458.]

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART III-B

***AN ORDINANCE FOR THE REGULATION
OF THE DISCHARGE OF FIREARMS
IN CERTAIN AREAS OF THE TOWN OF CAMDEN**

**ARTICLE 1
REGULATION OF DISCHARGE OF FIREARMS.**

Section 1- Jurisdiction:

This ordinance shall be enacted pursuant to the Municipal Home Rule powers of Title 30-A, M.S.R.A., Section 3001. The provisions of this ordinance shall be liberally interpreted in order to meet the objectives set forth in this ordinance.

Section 2- Purposes and Objectives:

The purposes and objectives of this ordinance are to protect both residents and non-residents of the Town of Camden from accidental injury as a result of the discharge of firearms in certain areas of the Town of Camden in which the discharge of firearms is considered to be unsafe in consequence of the congestion of residences in those areas, terrain features, or proximity to recreational or residential uses.

Section 3- Discharge of Firearms Prohibited, Except With a Permit:

No person, except a police officer, sheriff, constable, game warden, other law enforcement official, or military personnel in the performance of their official duties, shall, without a permit from the Police Chief of the Town of Camden, discharge any firearm. Notwithstanding the prohibition on the discharge of firearms set forth in this section, the following activities shall not be considered a prohibited discharge of firearms which violates the provisions of this ordinance:

- A. The discharge of firearms for official military exercises, and the discharge of firearms for ceremonies in connection with funerals, military reviews, and memorial events, specifically including the discharge of firearms by official participants in parades commemorating Memorial Day and in the observance of other holidays;
- B. The discharge of firearms in the proper defense of a person, that person's family, that person's property, and other people, but only to the extent that such actions are lawful and permitted by the laws of the State of Maine; and
- C. The discharge of firearms to destroy or to kill any dangerous animal, and to kill wild animals attacking other domestic animals or destroying property, as permitted under the terms of Title 12, M.R.S.A., Section 12401; and
- D. The discharge of firearms for the purpose of hunting in compliance with all

provisions of Title 12 in areas not set forth below in Article II and / or Article III.

- E. All road/street names shall be governed by the official firearms discharge map located in the Town of Camden Public Safety Building.

Section 4- Permit for Discharge of Firearms:

Applications for a permit from the Police Chief of the Town of Camden to discharge a firearm shall be requested on a form provided for that purpose by the Police Chief. The application shall contain the full name and address of the applicant, together with addresses for the prior five (5) years, and an identification of the date and place of birth, height, weight, and eye color of the applicant. In addition, the application may contain a requirement for submission of any of the other information set forth in applications submitted pursuant to Title 25, M.R.S.A., Section 2003(1) (D). The application shall contain a specific statement of the date, time, and purpose of the discharge of firearms for which the application is submitted, together with a statement of appropriate safety measures to be taken to reduce danger to people and property.

Upon receipt of a proper written application, the Police Chief shall, within ten (10) days, issue the permit for a discharge of a firearm on the specific date(s), time(s), and location, and for the specific purpose set forth in the written application, unless the Police Chief determines, on the basis of the information submitted on the written application, that the requested discharge of a firearm would be dangerous or otherwise unsafe to people, property, or domestic animals. Upon a determination that the requested discharge of a firearm does not meet the foregoing criteria for the issuance of a permit, the Police Chief shall notify the applicant, in writing, of the denial of the permit and the reasons therefore.

A permit issued by the Police Chief pursuant to this section of this ordinance shall be valid only for the date(s), time(s), location, and purpose set forth in the written application.

Article II

GEOGRAPHIC AREAS WHERE DISCHARGE OF FIREARMS IS PROHIBITED, EXCEPT WITH A PERMIT

Section 1- Prohibited Area #1:

The area bounded by Gould Street, Mountain Street, Molyneaux Road and State Route 105 back to Gould Street, more accurately described as follows:

Beginning at the southeasterly corner post of a bridge at the intersection of Gould and Washington Streets; THENCE running Northeasterly along the northerly line of Gould Street to the westerly line of Mountain Street; THENCE turning and running generally Northwesterly, along the westerly line of Mountain Street to the southerly line of the Molyneaux Road; THENCE turning and running in a generally Westerly direction, or as said Molyneaux Road runs, to the easterly line of State Route 105 (Hope Road); THENCE turning and running in a generally Southeasterly direction, or as said Route 105 runs, to the southeasterly

corner post of the aforementioned bridge, being the place of beginning.

Section 2- Prohibited Area #2:

The area bounded by Molyneaux Road, East Fork Road, Melvin Heights Road, Upper Mechanic Street, Cobb Road, Thomas Street, and Washington Street back to Molyneaux Road, more accurately described as follows:

Beginning at the southerly corner of an intersection where the westerly line of State Route 105 joins the southerly line of Molyneaux Road; THENCE running Westerly, following the southerly line of said Molyneaux Road, to the easterly line of East Fork Road; THENCE turning and running generally Southerly and Southeasterly along the easterly lines of said East Fork Road, the Melvin Heights Road, and Upper Mechanic Street, to the easterly line of Cobb Road; THENCE turning and running generally Northerly along the easterly line of Cobb Road; to the southerly line of Thomas Street; THENCE turning and running generally Northeasterly along the southerly line of Thomas Street to the westerly line of Washington Street at its point of intersection with said Thomas Street; THENCE turning and running generally Northwesterly, or as said Washington Street runs, to its intersection with the southerly line of said Molyneaux Road, being the place of beginning.

Section 3- Prohibited Area #3:

The area on the Penobscot Bay side of State Route 1 south of the Camden Hills State Park, bounded by Eaton Avenue, High Street/Route 1, Camden Hills State Park boundary, and the bay shore back to Eaton Avenue, more accurately described as follows:

Beginning on the southerly side of High Street (U.S. Route 1), at a point where it intersects with the easterly line of Eaton Avenue; THENCE running generally Northeasterly along the southerly line of Route 1 to the boundary line of the Camden Hills State Park; THENCE turning and running generally Southeasterly, following said boundary line of the Park, to the normal high water mark of Penobscot Bay; THENCE turning and running generally Southerly and Southwesterly along the normal high water mark of Penobscot Bay to a point where it intersects with the easterly line of Eaton Avenue; THENCE turning and running generally Northwesterly along the easterly line of said Eaton Avenue to the southerly line of High Street, being the place of beginning.

Section 4- Prohibited Area #4:

The area on the Penobscot Bay side of State Route 1 north of Camden Hills State Park, bounded by Camden Hills State Park, the Camden/Lincolnville Town Line, and the bay shore back to the Park boundary, more accurately described as follows:

Beginning on the southerly side of said Route 1, at a point where it intersects with the easterly line of Camden Hills State Park; THENCE running generally Northeasterly, along the southerly line of said Route 1, to the Camden-Lincolnville town line; THENCE turning and running generally Southeasterly, following said town line, to the normal high water mark of Penobscot Bay; THENCE turning and running generally Southwesterly along said high water mark, to the boundary line of said Park; THENCE turning and running generally Northwesterly, along said boundary line, to its

intersection with said Route 1, being the place of beginning.

Section 5- Prohibited Area #5:

The area of the Town of Camden which is located within two hundred (200) yards of the normal high water mark of Hosmer Pond.

Section 6- Prohibited Area #6:

Any area located within the property boundary lines of the so-called Ada Mills Sand Pit, set forth as Map 40, Lot 3 on the tax maps of the Town of Camden and which is owned-on the date of enactment of the ordinance-by the Town of Camden by virtue of a deed recorded in the Knox County Registry of Deeds at Book 168, Page 367.

Section 7- Prohibited Area #7:

The triangular section of land bounded by Molyneaux Road, East Fork Road and Melvin Heights Road, more accurately described as follows:

Starting at the intersection of the southerly side of Molyneaux Road and the westerly side of East Fork Road; THENCE traveling westerly along the southerly side of Molyneaux Road to the intersection with Melvin Heights Road; THENCE continuing southerly along the east side of Melvin Heights Road to the intersection with East Fork Road; and THENCE continuing northerly along the west side of East Fork Road to the place of beginning where the west side of East Fork Road meets the south side of Molyneaux Road.

Section 8- Prohibited area #8:

The land area between Lake Megunticook and State Route 105, from Codman Island Road to Carle Brook, more accurately described as follows:

Starting at the intersection of the Codman Island Road and the northeasterly side of State Route 105; THENCE continuing Northwesterly along the northeasterly side of State Route 105 for a distance of approximately one (1) mile to the south side of Carle Brook; THENCE by and along the south side of Carle Brook to its confluence with Megunticook Lake; THENCE Southeasterly by and along the high water mark of the southwesterly shore of Megunticook Lake to the place of beginning at the intersection of Codman Island Road and northeasterly side of State Route 105.

Section 9- Prohibited Area #9:

The land area between Lake Megunticook and Beaucaire Avenue, from Start Road to State Route 52, including Barretts Cove, more accurately described as follows:

Starting at the point where the northwest corner of Beaucaire Avenue intersects with the southwest side of State Route 52; THENCE westerly along the north side of Beaucaire Avenue to the northwest side of the intersection of Beaucaire Avenue and Start Road: THENCE northwesterly following an extension of the westerly sideline of Start Road to the intersection of that line with the high water mark of Megunticook Lake (said call being the easterly boundary of the area described in the third paragraph of Article III herein); THENCE continuing by and along the high water mark of Megunticook Lake easterly to a stone wall located

on the east side of Barrett's Cove Beach; THENCE easterly along the stone wall to the southwest boundary of State Route 52; THENCE Southeasterly to the starting point where the northwest corner of Beaucaire Avenue intersects with the southwest side of State Route 52.

ARTICLE III

GEOGRAPHIC AREAS WHERE DISCHARGE OF FIREARMS WITHOUT A PERMIT IS PROHIBITED, EXCEPT FOR THE DISCHARGE OF SHOTGUNS

The discharge of firearms shall be prohibited in the following geographic areas, except that the discharge of shotguns, shall be permitted with a permit:

A. The area bounded by Start Road, Beaucaire Avenue, and Molyneaux Road back to Start Road, more accurately described as follows:

Beginning in the northerly sideline of Molyneaux Road in the point at which that sideline intersects with the westerly sideline of Start Road; THENCE running generally Northwesterly, by and along said westerly sideline of Start Road, to its intersection with the southerly sideline of Beaucaire Avenue; THENCE turning and running generally Southwesterly and Southerly by and along said southerly sideline of Beaucaire Avenue, and approximately parallel with the shoreline of Megunticook River, to the intersection of Beaucaire Avenue with said northerly sideline of Molyneaux Road; THENCE turning and running generally Southeasterly along said northerly sideline of Molyneaux Road to its intersection with the Start Road, being the place of beginning.

B. The land area along Lake Megunticook, from Start Road and bounded by Beaucaire Avenue, Molyneaux Road and State Route 105 to Bog Bridge, including Codman Island, and more accurately described as follows:

Beginning at a point in the northerly sideline of Beaucaire Avenue, which point is directly opposite from the point of intersection of the westerly sideline of Start Road with the southerly sideline of said Avenue; THENCE running generally Southwesterly and Southerly, by and along the northerly sideline of said Avenue, to a point opposite the point of intersection of the northerly sideline of Molyneaux Road with the southerly sideline of said Avenue; THENCE turning and running generally Southwesterly, by and along the northerly sideline of Molyneaux Road, to its intersection with the easterly sideline of State Route 105; THENCE turning and running generally Northwesterly, by and along the easterly sideline of said Route 105, to its intersection with Bog Bridge, so-called; THENCE turning and running generally Easterly to the normal high water mark of Megunticook Lake; THENCE turning and running generally Easterly and Northeasterly, by and along the normal high water mark of said Lake, to its intersection with a line extending from the point in the northerly sideline of Beaucaire Avenue which is located directly opposite the point of intersection of the westerly sideline of Start Road with the southerly sideline of said Avenue (that point being the point of beginning); THENCE turning and running generally Easterly, by and along that extension line, to the place of beginning; also including the entire geographic area of Codman Island, so-called.

ARTICLE IV

PROHIBITED ACTS AND PENALTY

Each person who discharges a firearm without a required permit, in violation of this ordinance, shall be subject to a penalty of not less than \$250 for each such violation of this ordinance. This fine shall be collected by a complaint of the Town, filed in the District Court for the Division of Knox County. Each and every incident of a discharge of firearms in violation of this ordinance shall be considered a separate and independent violation.

ARTICLE V

DEFENITION OF FIREARMS

For the purposes of this ordinance, a "firearm" or "firearms" shall mean any instrument defined as a "firearm" within the meaning of Title 12 M.R.S.A., Section 10001 (21). "Firearm" means any instrument used in propulsion of pellets, shot, shells or bullets by action of gunpowder, compressed air or gas exploded or released within it.

For the purposes of this ordinance, a "shotgun" shall mean a smoothbore shoulder weapon for firing shot at short distances. For the purposes of this ordinance, "shot" shall mean a solid ball or bullet that is not intended to fit the bore of a piece; also such projectiles collectively.

*Ordinance adopted in its entirety November 5, 1991.

*Ordinance revised November 6, 2007.

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE
PART III-C**

**Miscellaneous Misdemeanors
(Now partly superseded by State Statute)**

Section 1

Repealed by voters at the June 12,13, 2001 Town Meeting.

Section 2

No person shall put or place, or cause to be put or placed, in or upon any public street, square, or other way customarily and lawfully used for public travel, or upon any sidewalk appurtenant thereto, any ashes, glass, crockery, scrap-iron, wire, tin, nails, tacks, or any other article of a nature likely to cause injury to pedestrians traveling on such a way or sidewalk, or to automobiles, carriages, bicycles or any other vehicles, moving on such street, way, or square; or which might wound, disable or injure any horse or other domestic animal; or which might cut, puncture or otherwise injure any pneumatic tire.

Section 3

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 4

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 5

No person shall deface, injure, destroy, or remove any signboard, or other thing used to designate the business or employment of any other person.

Section 6

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 7

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 8

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 9

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 10

Repealed by the voters at the June 12,13, 2001 Town Meeting.

Section 11

No fireworks, fire crackers, torpedoes, bombs, squibs, rockets, spinwheels or other things containing any substance of an explosive nature designed or intended to be used as fireworks shall be discharged or set off within the compact section, excepting from midnight July 3rd to midnight July 5th, provided, however, that the municipal officers may, upon application, grant permission under such terms and conditions as they may deem expedient, for pyrotechnic displays on days other than the fourth day of July, and provided further, that whenever the fourth day of July shall fall upon Sunday, the foregoing exception shall apply to the next succeeding day.

Section 12

Repealed by the voters June 12,13, 2001 Town Meeting.

Section 13

Whoever shall violate any of the provisions of any ordinance shall forfeit and pay not less than one or more than five dollars for each offense; except in cases where other specific penalties have been herein above imposed.

Enacting Ordinance

The above ordinances will become effective when approved and all former town ordinances or parts thereof, inconsistent with these ordinances are hereby repealed.

Historical Note: Adopted April 11, 1934 as amended June 19, 1934 and March 9, 1981

State Law Reference: 17-A MRSA, Secs. 751-754; 17 MRSA, Sec. 2802; 17-A MRSA, Sec. 505; 23 MRSA, Sec. 3252, Sec. 3452; 29 MRSA, Sec. 1752; 17 MRSA, Sec. 343; 17-A MRSA, Sec. 954; 30 MRSA, Sec. 1917, Sec. 2151; 17-A MRSA, Secs. 507, 511, 501, 854; 12 MRSA, Sec. 7406; 25 MRSA, Secs. 2031-2035; 8 MRSA, Secs. 211-217

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART IV

Traffic Code

Section 1 Words and Phrases Defined

Definition of words and phrases

The following words and phrases when used in the ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article.

Alley or Alleyway:

A narrow way between buildings or giving access to the rear of buildings.

Authorized emergency vehicle:

Vehicles of the fire department (fire patrol), police vehicles And such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the Chief of Police.

Bicycle:

Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 16 inches in diameter. (SIZE AMENDED 6/26/89)

Business district:

The territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

Compact Section:

The compact section or built-up portions of the Town of Camden shall be the territory contiguous to any way as follows:

- A. Route #1 - .21 miles north of Marine Avenue
- B. Route #1 - .12 miles south of Conway Road
- C. Route #105 0 .28 miles north of Mt. Battie Street
- D. Route #52 0 .45 miles north of Mill street
- E. Mechanic Street - Intersection of Mechanic Street and Simonton Road
- F. Union Street - .15 miles south of Curtis Avenue
- G. Chestnut Street - Driveway entrance of (former) Schirmer Estate
- H. Bay View Street - Intersection of Beacon Avenue
- I. Camden Street - Town line of Camden-Rockport

J. Cobb Road - Intersection of Thomas Street
K. Limerock Street - Town line of Camden-Rockport

Commercial Vehicle:

Every vehicle designed, maintained or used primarily for the transportation of property.

Controlled-access highway:

Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Crosswalk:

(a) That part of the highway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb loading zone:

A space adjacent to a curb reserved for the exclusive use of Vehicles during the loading or unloading of passengers or material.

Driver:

Every person who drives or is in actual physical control of a vehicle.

Highway:

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Intersection:

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways, which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as

separate intersection. In the event such intersecting highway also includes two roadways (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

Laned Roadway:

A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

Motor Vehicle:

Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated on rails.

Motorcycle:

Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Official time standard:

Whenever certain hours are named herein they shall mean standard time or day-light savings time as may be in current use in this town.

Official traffic-control devices:

All signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Park or parking:

Means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Pedestrian:

Any person afoot.

Person:

Every natural person, firm, copartnership, association or corporation.

Police Officer:

Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private road or driveway:

Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Residence district:

The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is, in the main, improved with residences or residences and buildings in use for business.

Right of way:

The right of one vehicle or pedestrian to proceed in a lawful manner in preference of another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway:

That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Safety Zone:

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

Sidewalk:

That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

Stand or standing:

Means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

Stop:

When required means complete cessation from movement.

Stop or Stopping:

When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

Street or highway:

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Through highway:

Every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield the right of way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this ordinance.

Traffic:

Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for the purpose of travel.

Traffic-control signal:

Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Traffic division:

The traffic division of the police department of this town or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this town.

Vehicle:

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

State Law Reference: 30 MRSA, Sec. 2151; 29 MRSA, Sec. 1252(3)

Section 2 Traffic Administration

2.1 Police administration

There is hereby established in the Town of Camden a police department which will be the traffic division of the town under the control of the Chief of Police.

2.2 Duty of traffic division

It shall be the duty of the traffic division to enforce the street traffic regulations of this town and all of the State vehicle laws applicable to street traffic in this town, to make arrests for traffic violations, to investigate accidents and to cooperate with the other officers of the town in the

administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out these duties specially imposed upon said division by this ordinance and the traffic ordinances of this town.

2.3 Records of traffic violations

(a) The police department shall keep a record of all violations of the traffic ordinances of this town or of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offences. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a 5-year period and from that time on the record shall be maintained complete for at least the most recent 5-year period.

(b) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

(c) All such records and reports shall be public records.

2.4 Police Department to investigate accidents

It shall be the duty of the police department to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

2.5 Traffic accident studies

Whenever the accidents at any particular location become numerous the Police Chief shall cooperate with the Town Manager in conducting studies of such accidents and determining remedial measures.

2.6 Traffic accident reports

The police department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the Town Officials.

2.7 Drivers' files to be maintained

(a) The police department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(b) Said police department shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic

accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of such persons suspended or revoked.

(c) Such records shall accumulate during at least a (5-year) period and from that time on such records shall be maintained complete for at least the most recent (5-year) period.

2.8 Police Chief to submit annual traffic-safety report

The Police Chief shall annually prepare a traffic report which shall be filed with the Town Manager. Such report shall contain information on traffic matters in this town as follows:

1. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
3. The plans and recommendations of the Police for future traffic safety activities.

2.9 Police Chief to designate method of identifying funeral processions

The Police Chief shall designate the type of pennant or other identifying insignia to be displayed upon, or other method to be employed, to identify the vehicles in funeral processions.

2.10 Emergency and experimental regulations

The Chief of Police by and with the approval of the Board of Selectmen is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this town and to make and enforce temporary or experimental regulations which may remain in effect for up to 365 days.

State Law Reference: Title 30, Sec. 1917, Sec. 2151

Section 3 Enforcement and Obedience to Traffic Regulations

3.1 Authority of police and fire department officials

(a) It shall be the duty of the officers of the police department or such officers as are assigned by the Chief of Police to enforce all street traffic laws of this town and all of the State vehicle laws applicable to street traffic in this town.

(b) Officers of the police department or such officers as are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that in event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers

of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic there at or in the immediate vicinity.

3.2 Required obedience to traffic ordinance

It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance.

3.3 Obedience to police and fire department officials

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

3.4 Persons propelling push carts or riding animals to obey traffic regulations

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

3.5 Use of coasters, roller skates and similar devices restricted

No person on roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this town. (Also see new Ordinance in Chapter VI)

3.6 Public employees to obey traffic regulations

The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, county, or town of Camden, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by State Statute.

3.7 Authorized emergency vehicles

(a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this ordinance.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
3. Exceed the maximum speed limits so long as he does not endanger life or property.
4. Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red, blue or amber light, as prescribed by State law for fire, police or emergency vehicles, visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as police vehicle need not be equipped with or display a blue light visible from in front of the vehicle.

(d) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

3.8 Operation of vehicles on approach of authorized emergency vehicles

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of this State, or of a police vehicle properly and lawfully making use of an audible signal only.

1. The driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
2. This section shall not operate to relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all.

3.9 Immediate notice of accident

The driver of a vehicle involved in an accident resulting in injury to or death to any person or total damage to all property to an apparent extent of \$100 or more shall

immediately by the quickest means of communication give notice of such accident to the police department if such accident occurs within this town.

3.10 Written report of accident

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury or death to any person or total damage to all property to an apparent extent of \$100 shall within 48 hours after such accident forward to the Chief of State Police a written report.

3.11 When driver unable to report

- (a) Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 3-9 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.

- (b) Whenever the driver is physically incapable of making a written report of an accident as required in Section 3-10 and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall make sure that a report is forwarded to the Chief of the State Police.

3.12 Public inspection of reports relating to accidents

Accident reports are maintained at the police department and are available to any individuals for inspection for any just reason.

3.13 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 3 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 30 MRSA, Sec. 2151, Sec. 3776; 29 MRSA, Sec. 1194, Secs. 2300-2306, Sec. 905, Sec. 946, Sec. 946-A, Sec. 1362; 14 MRSA, Sec. 8104; 29 MRSA, Secs. 891-894; 23 MRSA, Sec. 2851

Section 4 Traffic Control Devices

4.1 Authority to install traffic-control devices

The Police Chief shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of this town to make effective

the provisions of said ordinances, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this town or under State law or to guide or warn traffic.

4.2 Manual and specifications for traffic-control devices

All traffic-control signs, signals and devices shall conform to the manual of Uniform Traffic-Control Devices. All signs and signals required hereunder for a particular purpose shall as far as practicable be uniform as to type and location throughout the town. All traffic-control devices so erected and not inconsistent with the provisions of State Law or this ordinance shall be official traffic-control devices.

4.3 Obedience to official traffic-control devices

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in

accordance with the provisions of this ordinance, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

4.4 When official traffic-control devices required for enforcement purposes

No provision of this ordinance for which official traffic-control devices are required shall be enforced against an alleged violation if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

4.4.1 Official traffic-control devices -- presumption of legality

(a) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(b) Any official traffic-control device placed pursuant to the provision of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence.

4.5 Traffic-Control signal legend

Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combinations, only the colors Green, Red and Yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and to pedestrians.

4.6 Flashing Signals

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

1. Flashing red (Stop signal). When a red lens is illuminated with rapid intermitted flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
2. Flashing yellow (Caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

4.7 Display of unauthorized signs, signals or markings

(a) No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(d) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

4.8 Interference with official traffic-control devices

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any part thereof.

4.9 Authority to establish play streets

The Town Manager shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

4.10 Play Streets

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

4.11 Chief of Police to designate crosswalks and establish safety zones

The Police Chief is hereby authorized with the approval of the Board of Selectmen :

1. To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;
2. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

4.12 Traffic Lanes

(a) The Police Chief is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(b) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

4.13 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 4 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 23 MRSA, Sec. 59, Sec. 2851; 30 MRSA, Sec. 2151; 29 MRSA, Secs. 941-955, Sec. 2303

Section 5 Speed Regulations

5.1 State speed laws applicable

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this ordinance, as authorized by State law, hereby declares and determines upon the basis of engineering and traffic investigation that a speed of no greater than twenty-five miles per hour shall be maintained in the compact section of the Town of Camden. It shall be unlawful for any person to operate a motor vehicle at any speed in excess of the posted limits of the following streets:

Barnestown Road: 45 MPH starting at the Camden-Hope Line and extending easterly to the junction of Molyneaux Road, a total distance of 1.7 miles.

Bay View Street: 25 MPH starting at the junction of Bay View Street and U.S. Route 1 in Camden and extending southerly to the junction of Bay View Street and Chestnut Street, a total distance of 1.8 miles.

Beaucaire Avenue: 25 MPH from the junction of Route 52 easterly to the intersection of Molyneaux Road, a total distance of 1.5 miles.

Cobb Road: 35 MPH starting at the junction of Cobb Road and Route 105 and extending southerly to the junction of Cobb Road and Thomas Street, a total distance of 1.15 miles.

25 MPH starting at the junction of Cobb Road and Thomas Street and extending to the junction of Cobb Road and Mechanic Street, a total distance of 0.45 miles.

East Fork Road 35 MPH

John Street: 35 MPH starting at the junction of Mechanic Street and John Street and extending southeasterly to the junction of John Street and U.S. Route 1, a total distance of 0.85 miles.

Hosmer Pond Road 30 MPH starting at the junction of Molyneaux Road and extending easterly to the junction of the Rollins Road, a total distance of 1.3 miles.

Mechanic Street 45 MPH starting at the junction of the Rollins Road and extending easterly to the junction of the Melvin Heights Road, a total distance of 1.2 miles.

35 MPH starting at the junction of Mechanic Street and the Melvin Heights and extending easterly to the junction of Mechanic Street and Park Street, a total distance of 0.9 miles.

25 MPH starting at the junction of Mechanic Street and Park Street and extending easterly to the junction of Mechanic Street and U.S. Route 1, a total distance of 0.6 miles.

Melvin Heights Road and East fork Road from the intersection of Hosmer Pond Road and Melvin Heights to Molyneaux Road, 35 MPH.

Molyneaux Road, 35MPH. *(amended November 17, 2003 Select Board Meeting)*

Route #1: 35 MPH starting at a point opposite the Rockport-Camden town line and extending easterly to the junction of U.S. Route 1 and School Street (at Stop Sign) in Camden, a total distance of 0.75 miles.

25 MPH starting at the junction of U.S. Route 1 and School Street (at Stop Sign) and extending easterly through the built-up portion of Camden to a point 0.05 miles easterly of the junction of Routes 1 and 52 and/or to a point opposite NET&T Pole #1/2 in Camden, a total distance of 0.35 miles.

35 MPH starting at a point 0.05 miles easterly of the junction of U.S. Route 1 and 52 in Camden and/or at a point opposite NET&T Pole #1/2 and extending easterly to a point opposite NET&T Pole #1/30 and/or to a point 0.70 miles easterly of above junction, a total distance of 0.65 miles.

50 MPH starting at a point 0.70 miles easterly of the junction of U.S. Route 1 and 52 in Camden and/or opposite NET&T Pole #1/30 and extending easterly to a point opposite CMP Pole #60/1/60 located 0.10 miles easterly of the Camden Hills Park Entrance in Camden, a total distance of 0.95 miles.

55 MPH starting at a point 0.10 miles easterly of the Camden Hills Park Entrance and/or at a point opposite CMP Pole #60/1/60 and extending easterly to the Camden-Lincolnvile line, a total distance of 3.10 miles.

Route 52: 30 MPH starting at the junction of U.S. Route 1 and 52 in Camden and extending northerly to the junction of Route 52 and Gould Street, a total distance of 0.70 miles.

40 MPH starting at the junction of Route 52 and Gould Street in Camden and extending northerly to a point opposite CMP Pole #36/36 in Camden, a total distance of 0.20 miles.

55 MPH starting at a point opposite CMP Pole #36/36 in Camden and extending northerly to a point 2.0 miles northerly of CMP Pole #36/36 in Camden, a total distance of 2.0 miles.

40 MPH starting at a point 2.0 miles north of CMP Pole #36/36 in Camden and extending northerly to the Camden-Lincolnvile line, a total distance of 2.30 miles.

Route 105: 45 MPH starting at the Camden-Hope line and extending easterly to a point opposite CMP Pole #50 and/or to a point 0.20 miles westerly of the junction of Route 105 and Thomas Street in Camden, a total distance of 3.8 miles.

30 MPH starting at a point opposite CMP Pole #50 and/or at a point 0.20 miles westerly of the

junction of Route 105 and Thomas Street in Camden and extending easterly to the junction of Route 105 and Grove Street in Camden, a total distance of 0.6 miles.

25 MPH starting at the junction of Route 105 and Grove Street in Camden and extending easterly to the junction of Route 105 and U.S. Route 1 in Camden, a total distance of 0.5 miles.

Sherman's Point Road: 25 MPH starting at the junction of Sherman's Point Road and High Street and extending to the end of Sherman's Point Road, a total distance of 1,800 feet.

Simonton Road: 35 MPH starting at the junction of Simonton Road and John Street and extending to the junction of Simonton Road and Mechanic Street, a total distance of 0.15 miles.

Start Road: 35 MPH starting at the junction of Molyneaux Road and extending to the intersection of Beaucaire Avenue, a total of .8 miles.

Union Street: 25 MPH from junction of Curtis Avenue and Union Street easterly to the junction of Union Street and Belmont Avenue, a total distance of 0.85 miles.

All speed zones in this chapter have been approved by the State Highway Commission with the approval and comment of the Chief of the Maine State Police.

5.2 Speed limits in urban and rural areas

The speed limits set in the urban and rural areas outside the compact section of the Town of Camden are set by the Speed Regulation Board of the State of Maine. It shall be unlawful for any person to operate a motor vehicle in excess of the posted limit on any street or highway.

5.3 Speed in school and library zones

It shall be unlawful to operate a motor vehicle at a speed greater than fifteen miles per hour in any school zone when children are going to or from school or are at recess. It shall be unlawful to operate a motor vehicle at a speed greater than fifteen (15) miles per hour in the library zone on Atlantic Avenue.

5.4 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 5 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 29 MRSA, Secs. 1251-1256; amended 11-17-97

Section 6 Turning Movements

6.1 Required position and method of turning at intersections

The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Right turns --- Both the approach for a right turn and right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(b) Left turns on two-way roadways --- At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(c) Left turns on other than two-way roadways --- At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

6.2 Authority to place and obedience to turning markers

(a) The Police Chief is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

(b) When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the direction of such indications.

6.3 Authority to place restricted turn signs

The Police Chief is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other times, in which event,

the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

6.4

Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

6.5 Limitations on turning around

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

6.6 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 6 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 29 MRSA, Sec. 994, Secs. 1191--1194, Sec. 947, Sec. 941, Sec. 1961, Sec. 1151, Sec. 1151-A

Section 7 One-Way Streets And Alleys

7.1 Authority to sign one-way streets and alleys

Whenever any ordinance of this city designates any one-way street or alley the Police Chief shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement in the opposite direction is prohibited.

7.2 One-way streets and alleys

Upon those streets and parts of streets and in those alleys described in schedule I attached hereto and made a part hereof, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

SCHEDULE 1 ONE-WAY STREETS

In accordance with section 7.2 and when properly signposted, traffic shall move only in this direction indicated upon the following streets:

Atlantic Avenue	In an easterly direction from the intersection of Main Street to the intersection of Sea Street.
Chestnut Street	In a southerly direction from Route 1 (Elm Street) to the intersection of Wood Street.
Knowlton Street	In a southerly direction from the intersection Of Washington Street and Knowlton street to the intersection of Knowlton Street and Lion's Lane.
Pleasant Street	In a westerly direction from Wood Street to School Street.
Tannery Lane	In an easterly direction 150 feet from Main Street to said Main Street with a right turn only at exit.
Washington Street	In a northerly direction from the intersection of Elm Street to the inter section of Mechanic Street.
Wood Street	In a westerly direction from the intersection Of Chestnut Street to Pleasant Street.
Wilson Street	In an easterly direction from the intersection Of Chestnut Street to Bayview Street.

7.3 Authority to restrict direction of movement on streets during certain periods

- (a) The Police Chief is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate

markings, signs, barriers or other devices to give notice thereof. The Police Chief may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

- (b) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

7.4 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 7 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction

thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 30-A MRSA, Sec. 3009; 29 MRSA, Sec. 993

Section 8 Stop And Yield Intersections, Etc.

8.1 Through streets designated

Those streets and parts of streets described in schedule 2 attached hereto and made a part hereof are hereby declared to be through streets for the purpose of this section. Designation as a through street does not preclude the placement of traffic control signs and/or devices on through highways or streets.

SCHEDULE 2

In accordance with the provisions of Section 8.1 and when signs are erected giving notice thereof drivers of vehicles shall stop at every intersection before entering any of the following streets or parts of streets.

Atlantic Highway

Bay View Street from Route 1 at Main Street to Chestnut Street near the Cemetery.

Chestnut Street from Route 1 at Elm Street to the Rockport town line.

Elm Street from Route 1 at School Street to the Rockport town line.

Mechanic Street from Washington Street to the Hope town line, via Hosmer Pond Road.

Mountain Street Route 52, from Route 1 at High Street to the Lincolnville town line.

Old Route #1 over Union, Elm, Main and High Streets, from the Rockport town line to the Lincolnville town line.

Washington Street from Route 1 at Elm Street to the Hope town line.

8.2 Signs required at through streets

Whenever any ordinance of this town designates and describes a through street it shall be the duty of the Town Manager to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-control devices, provided, however, that at the intersection of two

such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the Town Manager upon the basis of an engineering and traffic study.

8.3 Other intersections where stop or yield required

The Town Manager is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and to determine (a) whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or (b) whether vehicles shall yield the right of way to vehicles on a different street at such intersection as prescribed in paragraph (a) of section 8-6, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required.

8.4 Stop signs and yield sign.

(a) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

(b) Except when directed to proceed by a police officer or traffic control device, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at a point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

8.5 Vehicle entering stop intersection

Except when directed to proceed by a police officer or traffic-control signal, every driver or a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Section 8-4 (b) and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

8.6 Vehicles entering yield intersection

The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way

to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or with the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.

8.7 Emerging from alley, driveway or building

The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

8.8 Stop when traffic obstructed

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

8.9 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 8 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 29 MRSA, Sec. 948, Sec. 949, Sec. 992, Sec. 1152, Sec. 944, Sec. 945, Sec. 994, Sec. 1191

Section 9 Miscellaneous Driving Rules

9.1 Following fire apparatus prohibited

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

9.2 Crossing fire hose

No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or alley, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

9.3 Driving through funeral or other procession

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic- control signals or police officers.

9.4 Drivers in a procession

Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is practicable and safe.

9.5 Funeral processions to be identified

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Police Chief.

9.6 When permits required for parades and processions

No funeral, procession or parade containing (200) or more persons or (50) or more vehicles except the forces of the United States Army or Navy, the military forces of this State and the forces of the Police and Fire department, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

9.7 Vehicle shall not be driven on a sidewalk

The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

9.8 Limitations on backing

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

9.9 Opening and closing vehicle doors

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave the door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

9.10 Riding on motorcycles

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon

the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

9.11 Clinging to vehicles

No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

9.12 Boarding or alighting from vehicle

No person shall board or alight from any vehicle while such vehicle is in motion.

9.13 Unlawful riding

No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

9.14 Driving through safety zone prohibited

No vehicle shall at any time be driven through or within a safety zone.

9.15 Penalty

Any person who shall violate any of the provisions of any section of Part Four, Section 9 of the Traffic Code except for those sections where specific penalty is therein provided, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 29 MRSA, Sec. 946, Sec. 946-A, Sec. 1362, Sec. 1033, Sec. 996, Sec. 960, Sec. 957, Sec. 1367-A

Section 10 Pedestrians' Rights and Duties

10.1 Pedestrians subject to traffic-control signals

Pedestrians shall be subject to traffic-control signals as heretofore declared in sections 4-5 and 4-6 of this ordinance, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article.

10.2 Pedestrians' right of way in crosswalks

(a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the

pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) Paragraph (a) shall not apply under the conditions stated in paragraph (b) of section 10-5.

(d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

10.3 Pedestrians to use right half of crosswalks

Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

10.4 Crossing at right angles

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

10.5 When pedestrian shall yield

(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(c) The foregoing rules in this section have no application under the conditions stated in section 10-6 when pedestrians are prohibited from crossing at certain designated places.

10.6 Prohibited crossing

(a) No pedestrian shall cross a roadway other than in a crosswalk in any part of the business district.

(b) No person shall cross the street diagonally.

10.7 Pedestrians walking along roadways

(a) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

10.8 Pedestrians soliciting rides or business

(a) No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

(b) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

10.9 Drivers to exercise due care

Notwithstanding the foregoing provisions of this article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or confused or incapacitated person upon a roadway.

10.10 Penalty

Any person who shall violate any of the provisions of Sections 10.1 through 10.8 inclusive, will be subject to a fine of not less than \$5.00 or more than \$100.00; however, such person may in lieu of such penalty within 48 hours of the violation pay the sum of \$2.00 for each violation of Sections 10.1 through 10.8 inclusive. Such payment shall in no event be construed to be an enforced imposition of a fine or penalty, but on the other hand be construed to be an amount which the offender may voluntarily contribute toward the cost and expense of furnishing to the public a less expensive alternate method or regulating and administering violations. Any violators making such payment shall be given a receipt for every such payment and a copy of such receipt along with all monies shall be delivered forthwith to the Town Treasurer by the Police Department.

Any person who shall violate any of the provisions of Section 10.9, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 and not more than \$100.00.

State Law Reference: 29 MRSA, Sec. 954, Sec. 955, Sec. 904

Section 11 Skateboard and Bicycle Ordinance

Definitions

a. Bicycle - Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 16" in diameter.

- b. Central Business Zone - That portion of the Town designated as B-1 (Downtown Business) and HB (Harbor Business) on the Zoning Map of the Town as it may be amended from time to time.
- c. Operate - To ride upon, drive, propel, or otherwise convey oneself or others by use of a bicycle or skateboard.
- d. Skateboard - A single platform mounted on wheels, which is designed to be propelled by human power.
- e. Town - Town of Camden.
- f. Vehicle - Bicycles and/or Skateboards.

Skateboard Operation

No person shall operate a skateboard on any street, sidewalk, or other public way in any portion of the Town designated as a Central Business Zone (B-1 or HB)

Bicycle Operation

No person shall operate a bicycle on any sidewalk in any portion of the Town.

No person shall operate a bicycle in any park located in any portion of the Central Business Zone.

No person shall violate any traffic laws while riding a bicycle in the Town.

Civil Penalties

Violations of this Ordinance shall result in a penalty of twenty five dollars (\$25) for a first offense. A second offense shall result in a penalty of not less than fifty dollars (\$50) and not more than one hundred dollars (\$100). Such a fine shall be collected in the name of the municipality and paid to the municipality in accordance with an order of the appropriate court. In addition, the town may request from the court an order causing the impoundment of the vehicle which was operated in the commission of such violation for a period not to exceed thirty (30) days for the first offense and for a period not to exceed ninety (90) days for a second offense.

Historic Note: Adopted June 26, 1989

Regulations for Bicycles

11.1 Effect of regulations

(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any child or ward to violate any of the provisions of this ordinance.

(c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

11.2 Traffic laws apply to persons riding bicycles

Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this town applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.

11.3 Obedience to traffic-control devices

(a) Any person operating a bicycle shall obey the instructions of officials, traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a Police Officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make such a turn, in which event such person shall then obey the regulations applicable to pedestrians.

11.4 Riding on bicycles

(a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

11.5 Riding on roadways and bicycle paths

(a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

11.6 Speed

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

11.7 Emerging from alley or driveway

The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

11.8 Carrying articles

No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.

11.9 Parking

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

11.10 Riding on sidewalks

(a) No person shall ride a bicycle upon a sidewalk within a business district.

(b) The Chief of Police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

ALTERNATE (b) No person (15) or more years of age shall ride a bicycle upon any sidewalk in any district.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

11.11 Lamps and other equipment on bicycles

(a) Every bicycle when in use at night time shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlights on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(b) No person shall operate a bicycle unless it is equipped with a bell or other device, after the first of June 1967, capable of giving signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(c) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

11.12 Penalties

Every adult convicted of a violation of any provision of this article shall be punished by a fine of not less than \$5 dollars or by impounding of juvenile's bicycle for a period not to exceed 5 days for the first offense, 10 days for the second offense, and 30 days for every other offense.

Section 12 Method of Parking

12.1 Standing or parking close to curb

Except as otherwise provided in this article every vehicle stopped or parking upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within 12 inches of the right-hand curb.

12.2 Signs or markings indicating angle parking

(a) The Town Manager shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any Federal-aid or State Highway within this town unless the State Highway Commission had determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement to traffic.

(b) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

12.3 Obedience to angle-parking signs or markings

On those streets which have been signed or marked by the Town Manager for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

12.4 Permits for loading or unloading at an angle to the curb

(a) The Chief of Police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise, or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.

(b) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

12.5 Lamps on parked vehicles

(a) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise, and in the event there is sufficient light to reveal any person or object within a distance of 500 feet upon such street or highway, no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset

and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of 500 feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.

(c) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

12.6 Penalties

See Section 15-A, Penalties.

*Adopted June 18, 1990

State Law Reference: 30 MRSA, Sec. 2151; 29 MRSA, Sec. 1361, Sec. 1366, Sec. 1368, Secs. 1071-1073

Section 13 Stopping, Standing or Parking in Specified Places

13.1 Stopping, standing or parking prohibited

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

1. Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge of curb of a street.
- b. On a sidewalk.
- c. Within an intersection.
- d. On a crosswalk.
- e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.
- f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.

- g. Upon a bridge or other elevated structure upon a highway.
 - h. At any place where official signs prohibit stopping.
- 2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway.
 - b. Within 15 feet of a fire hydrant.
 - c. *deleted October 3, 2005 Select Board Meeting*
 - d. Within 30 feet upon the approach to any flashing signal, stop sign or traffic-control signal located at the side of the roadway.
 - e. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance (when properly signed).
 - f. At any place where official signs prohibit standing.
- 3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
 - a. At any place where official signs prohibit parking.
 - b. Or move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

13.2 Parking not to obstruct traffic

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

13.3 Parking in alleys

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway to any abutting property.

13.4 All-Night Parking Prohibited

From November 1 until April 1, no person shall park a vehicle on any street or public parking lot for a period of time longer than thirty (30) minutes between the hours of 1:00 am and 5:00 am of any day, except physicians and other medical personnel on emergency calls, firefighters on emergency calls, and other Town employees, including highway department personnel, in connection with their official duties. The Police Department is granted authority to authorize overnight parking in the ten (10) rear spaces in the Washington Street Parking Lot, on the condition that the vehicles so authorized will be removed the next day so that snow clearing operations can take place.

In addition, the Town designates the three parking spaces on the west side of Washington Street adjacent to the Camden Opera House building so that there shall be no parking in those spaces from 1:00 am to 6:00 am of every day. Those spaces shall be specifically identified as a "tow-away zone" during that time of prohibited parking.

Adopted by the Camden Selectmen May 1, 1995. Amended January 2, 1996.

13.5 Parking for certain purposes prohibited

No person shall park a vehicle upon any street for the principal purpose of:

1. Displaying such vehicle for sale.
2. Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.
3. No person shall park an automobile, trailer, bus, truck or camper upon any highway, way, avenue, street, court, lane, alley, park, square, sidewalk, bridge, or upon any right-of-way in connection therewith for the purpose of camping or sleeping in said vehicle at any time during the day or night without written permission being granted by the town selectmen or their duly authorized agent, unless said area has been designated as a camping area by the selectmen of the Town of Camden and sign(s) authorizing the use of the area as a camping site have been posted by the selectmen of the Town of Camden or their duly authorized agent.

13.6 Parking adjacent to schools

(a) The Chief of Police is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

13.7 Parking prohibited on narrow streets

(a) The Police Chief is hereby authorized to erect signs indicating no parking upon any street when the

width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.

(b) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

13.8 Standing or parking on one-way streets

The Chief of Police is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall park a vehicle upon any such street in violation of such sign.

13.9 Standing or parking on one-way roadways

In the event a highway included two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The Chief of Police is authorized to determine when standing, or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

13.10 No stopping, standing or parking near hazardous or congested places

(a) The Chief of Police is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay of traffic.

(b) When official signs are erected, at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

13.11 Penalty

See Section 15-A, Penalties.

*Adopted June 18, 1990

State Law Reference: 29 MRSA, Sec. 1111; 30 MRSA, Sec. 2151; 17-A MRSA, Sec. 505; 29 MRSA, Sec. 942

Section 14 Stopping for Loading or Unloading Only

14.1 Town Manager to designate curb loading zones

The Town Manager is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during

which the provisions of this section are applicable.

14.2 Standing in passenger curb loading zone

No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during the hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed 3 minutes.

14.3 Standing in freight curb loading zone

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading or delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading or unloading of materials exceed 30 minutes.

14.4 Town Manager to designate public carrier stops and stands

The Town Manager to designate public carrier stops and stands.

The Town Manager is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger-common-carrier motor vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs.

14.5 Stopping, standing and parking of buses and taxicabs regulated

(a) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than 18 inches from the curb and the bus approximately parallel to the curb so not to unduly impede the movement of other vehicular traffic.

(c) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

14.6 Restricted use of bus and taxicab stands

No person shall stop, stand, or park a vehicle other than a bus in a bus stop (or other than a hackney in hackney stand) or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, or taxicab waiting to enter or about to enter such zone.

14.7 Stopping For Loading or Unloading Only

CAMDEN PUBLIC LANDING: No person shall stop, stand or park any vehicle that requires more than one parking space within the area of the Camden Public Landing for any purpose other than loading or unloading without the written permission of the Selectmen or the Town Manager.

14.8 Penalty

See Section 15-A, Penalties.

*Adopted June 18, 1990

Section 15 Stopping, Standing or Parking Restricted or Prohibited on Certain Streets

15.1 Application of article

The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

15.2 Regulations not exclusive

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

15.3 Parking prohibited at all times on certain streets

When signs are erected or the curb is painted yellow, giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets described in schedule 3 attached to and made a part of this ordinance.

SCHEDULE 3 NO PARKING

In accordance with Section 15.3 and when signs or painted curb so designates no person shall at any time

park a vehicle upon any of the following streets or parts thereof:

Alden Street	South side
Atlantic Avenue	North side
Atlantic Avenue	South side, 40 feet East from Main Street
Bay View Street	East side, from a point 204' south from Main Street to Bay Road
Bay View Street	East side, from Main Street south over a distance of 120'
Bay View Street	West side over a distance of 230' south from Main St.
Bay Road	West side (inland)
Beaucaire Avenue	Northerly side, adjacent to Barrett Cove Memorial Park
Belmont Avenue	East side from intersection of Union Street in Southerly direction for a distance of 400 feet.
Central Street	South side from a point 340' easterly of Main Street over a distance of 95'
Chestnut Street	East side from a point 258' south of Elm Street to Frye Street
Chestnut Street	Both sides from Limerock Street northerly over a distance of 250'
Chestnut Street	East side from Frye Street to Wilson Avenue from November 15 through April 15
Commercial Street	Both sides
Elm Street	North side, 130 feet West from Free Street
Elm Street	No parking either side west of School Street
Free Street	East side from Elm Street North to Mechanic Street.
Free Street	West side, 35 feet North from Elm Street
Free Street	West side, from Mechanic Street to Pearl Street
Frye Street	South side from Chestnut Street to Bay View Street
Frye Street	North side from the intersection with Bayview Street over a distance of 20'
High Street	South side, from Harbor Road to 100 feet beyond Marine Avenue
John Street	North side, from Simonton Rd. Easterly over a distance of 660'
Knowlton Street	Either side, Mechanic Street to Alden Street

Knowlton Street	West side from intersection of Washington Street South to Intersection of Lions Lane
Main Street	East side from Atlantic Avenue North to High Street.
Main Street	West side South from Central Street over a distance of 100'
Mechanic Street	North side westerly from the intersection of Knowlton Street to the entrance to the parking lot of the Knowlton Center.
Mechanic Street	North side, east from Washington St. over a distance of 120'
Mechanic Street	South side, 20 feet East from Washington Street
Mechanic Street	South side, 132 feet West from the intersection of Washington Street
Mechanic Street	South side, 106' east from Free Street
Mechanic Street	South side from a point 50' east of Free Street over a distance of 50'
Mountain Street	From Gould St., 200 feet on the west side of Mountain Street
Pearl Street	South side, westerly from Free Street over a distance of 370'.
Pleasant Street	North side
Route 52	Both sides from Intersection of Beaucaire Avenue, so called, North to town line except for four (4) parking spaces along the Mountain (east) side beginning 1 1/4 miles southerly of the Camden/Lincolnvile town line.
Sea Street	Northeast side of Sea Street for 20' in either direction at the 90 degree turn located at the intersection of Sea Street and Wayfarer Drive
Sea Street	West side from High St.to a point 160'southerly of Atlantic Ave.
Sea Street	Sea Street, east side, from High Street to a point 135' southerly of High Street, and also beginning at a point 495' southerly of High Street and proceeding southerly over a distance of 250'
Sea Street	South Side, beginning at the intersection of Wayfarer Drive and extending easterly over a distance of 35'
Sea Street	Corner of Steamboat Landing Road: 10' southerly of Sea Street along Steamboat Landing Road, and 10' westerly along Sea Street
Tannery Lane	South side from Washington Street over a distance of 94'
Washington Street	East side, 75 feet North from Elm Street
Washington Street	West side, north from Mechanic Street over a distance of 255'
Washington Street	West side, from 315' north of Mechanic Street

to 470' north of Mechanic Street

Washington Street West side, from 550' north of Mechanic Street over a distance of 160'

Washington Street East side, south from Cross Street over a distance of 70'

Wilson Street North side

Wood Street Either side from a point 210 feet westerly from Chestnut Street to Elm Street

Wood Street South side, from Chestnut Street over a distance of 210'

15.4 Parking prohibited during certain hours on certain streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified in schedule 4 of any day except Sunday and public holidays within the district or upon any of the streets described in said schedule 4 attached to and made a part of this ordinance.

SCHEDULE 4

In accordance with Section 15.4 and when signs are erected giving notice thereof, no person shall park a vehicle between the hours specified herein on any day except Sundays and public holidays within the district or upon any of the streets or parts of streets as follows:

Alden Street No parking on the north side between 7 AM to 3 PM weekdays while school is in session.

Grove Street No parking either side from intersection at Washington Street easterly for 300 feet between the hours of *7 A.M. to 3 P.M. weekdays while school is in session.

Knowlton Street 30 minute parking for 8 cars is permitted on the east side of Knowlton Street, between the Camden- Rockport High School and the Mary E. Taylor School entrance crosswalks, from 7:00 A.M. to 3:00 P.M. weekdays while school is in session, until December 1, 2000.

Mechanic Street No parking north side from the intersection of Knowlton Street easterly for a distance of 100' between 7 AM and 3 PM weekdays while school is in session.

Spring Street No parking either side from intersection of Washington Street for a distance to 300 feet between the hours of *7 A.M. to 3 P.M. WEEKDAYS while school is in session. *(change voted on at October 21, 1991 Selectmen's Meeting)*

Trim Street There shall be no parking from *7 A.M. to 3 P.M.

while school is in session.

Washington Street No parking from intersection of Alden street
Northerly to Rawson Avenue, both sides of Street, between
the hours of*7 A.M. to 3 P.M. while school is in session.

Washington Street 30 minute parking for three spaces on the west side of
Washington St. adjacent to the Camden Opera House Building.
(adopted June 7, 2004 Select Board Meeting)

15.5 Stopping, standing or parking prohibited during certain hours on
certain streets.

When signs are erected in each block giving notice thereof, no person
shall stop, stand, or park a vehicle between the hours specified in
schedule 5 of any day except Sunday and public holidays within the
district or upon any of the streets described in said schedule 5
attached to and made part of this ordinance.

SCHEDULE 5 PARKING LOTS

Washington Street Parking Lot	east side of Washington Street 150' westerly of Elm Street. Six spaces are to be designated 2 hour parking, and remaining spaces are all day parking.
Opera House Parking Lot	reserved 8:00-4:30 P.M. weekdays, except holidays, for town employees 2 hour parking except when reserved for Town employees.
Mechanic Street Parking Lot	located south side of Mechanic Street 160' north of Elm Street.2-hour parking.
Camden Public Safety Parking Lot	located on the north side of Washington Street, 270' west of Mechanic Street, all day parking, except first two spaces facing Washington Street as one hour parking for visitor's only. <i>(amended June 7, 2004 Select Board Meeting)</i>
Public Landing Parking Lot	located at the head of the harbor at the easterly end of Commercial Street 2 hour parking from May 1 to October 31 unless permission is granted by the Camden Harbor Master or Chief of Police, with exception to those reserved spaces designated by the Town. Those spaces al

ong the westerly and northerly edge
remain two hour parking year-round.

Library Meadow Parking Lot	located north of Atlantic Avenue and Northeast Library Amphitheatre. Closed from 11:00p.m. to 6:00a.m.
Cove Road Parking Lot	located on the west side of Cove Road, approximately 50' south of Arey Avenue intersection. Lot measures 82.5' x 134.4'. Closed from dusk to dawn, unless the Police Department grants specific parking permission to an individual.

15.6 24 Hour Parking Limit For Parking Lots and Streets

There shall be no parking for more than twenty-four (24) consecutive hours on any public parking lot, street or highway unless approved by the police department.

15.7 Parking time limited on certain streets

When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than (2) hours at any time between the hours of 9 A.M. and 5 P.M. of any day except Sunday and public holidays within the district or upon any of the streets described in schedule 6 attached to and made a part of this ordinance.

SCHEDULE 6 TWO-HOUR PARKING

In accordance with Section 15.6 and when signs are erected giving notice thereon no person shall park a vehicle for a period of time longer than 2 hours between the hours of 9 A.M. and 5 P.M. of any day except Sundays and public holidays within the district or upon any of the following streets or parts of streets.

Atlantic Avenue	southerly side 53 feet from Main Street to the access road to the harbor
Atlantic Avenue	southerly side from the access road to the harbor to Sea Street from May 15-November 15.
Bay View Street	East side from a point 120' south of Main Street to a point 204' south of Main Street
Bay View Street	West side from a point 230' south of Main Street to Wilson Street
Camden Public Landing	From May 1 to October 31 all parking spaces on the Public Landing

unless permission is granted by the Camden Harbor Master or Chief of Police, with exception to those reserved spaces designated by the Town. Those spaces along the westerly and northerly edge remain two hour parking year-round.

Chestnut Street	East side from Elm Street over a distance of 90'.Then beginning again at a point 213' southerly of Elm Street to a point 258' from Elm Street.
Chestnut Street	West side, from Elm Street to Frye Street
Elm Street	East side, from the entrance walk of the Elm Street School to Bay View Street.
Elm Street	West side, from point 30 feet East of the corner of Free Street, to a point 15 feet West of the LaVerdiere's driveway, and from a point 10 feet East of the Laverdiere's driveway to a point 10 feet West of the corner of Mechanic and Elm Street.
Frye Street	Between Bay View Street and Chestnut Street
Main Street	East side from a point 9 feet from the corner of Bay View Street to a point 9 feet West of the corner of Atlantic Avenue.
Main Street	West side from a point 9 feet from the corner of Mechanic Street to the crosswalk at the Public Library.
Mechanic Street	North side from a point 100' east of Knowlton Street over a distance of 120'.
Mechanic Street	South side from the intersection of Free Street, westerly over a distance of 325 feet.
Mechanic Street	South side from a point 10' east of Free Street over a distance of 40'.
Pleasant Street	All day parking permitted on south side.
Tannery Lane	North side, next to the Fire Station
Town Office Parking Lot	All parking spaces, not reserved.
Wood Street	North side from a point 10' west of Chestnut Street over a distance of 190'.

15.7 Parking signs required

Whenever by this or any other ordinance of this town any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the Town Manager to erect appropriate signs giving notice thereof and no such

regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

**SCHEDULE 7
15-MINUTE PARKING**

In accordance with Section 15.7 and when signs are erected giving notice thereon no person shall park a vehicle for a period of time longer than 15 minutes between the hours of 9 A.M. and 5 P.M. of any day except Sundays and public holidays within the district or upon any of the following streets or parts of streets.

Atlantic Avenue	South side, one space beginning 96' from Main Street, and extending over a distance of 20'
Bay View Street	West side, one space beginning 221' southerly of Elm Street, and extending southerly over a distance of 20'
Bay View Street	West side, one space beginning 392' southerly of Elm Street, and extending southerly over a distance of 20'
Chestnut Street	East side (in front of U.S. Post Office) from a Point 90' south of Elm Street, extending southerly approximately 123'
Elm Street	North side, one space over a distance of 25' westerly from Mechanic Street
Elm Street	South side, one space beginning at the corner of Chestnut Street, and extending easterly over a distance of 25'
Elm Street	South side, one space beginning 115' from the corner of Elm Street and Union Street, extending northerly over a distance of 20'
Main Street	West side, one space over a distance of 25' southerly of Tannery Lane, and one space over a distance of 25' Northerly of Tannery Lane
Mechanic Street	East side, one diagonal space beginning 188' northerly from Main Street and extending northerly over a distance of 10'
Mechanic Street	East side, one space extending northerly from Main Street over a distance of 25'
Public Landing	West side, two diagonal spaces beginning at Commercial Street, and extending over a distance of 17'
Washington Street	West side, three spaces beginning 53' northerly from Elm Street and extending northerly over a distance of 63'
Washington Street Parking Lot	Northerly edge of the Washington Street Parking Lot, one space beginning 17'

easterly of Washington Street and extending over a distance of 20'

Washington Street Two spaces west side of Washington St. adjacent to the Camden Opera House building. *(adopted June 7, 2004 Select Board Meeting)*

15.8 Parking time limited on certain streets

When signs are erected giving notice thereof no person shall stop, stand, or park a vehicle between the hours specified herein upon any of the streets or parts thereof as follows:

SCHEDULE 8 RESTRICTED PARKING

In accordance with Section 15.8 and when signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified herein upon any of the streets or parts thereof as follows:

Atlantic Avenue No parking on south side from the intersection of Main Street and Atlantic Avenue to the entrance road to the waterfront between the hours of 9:15 P.M. and 6 A.M. the following morning.

Main Street West side from the Megunticook River to Central Street, 9:15 P.M. to 6 A.M. the following morning.

Steamboat Landing
Road No parking Dusk to Dawn.

15.9 Car parking on certain streets

When signs are erected giving notice thereof no person shall stop, stand, or park a vehicle other than a car upon any of the streets or parts thereof as follows:

SCHEDULE 9 CAR PARKING ONLY

In accordance with Section 15.9 and when signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle other than a car upon any of the streets or parts thereof as follows:

Atlantic Avenue from Main Street to Sea Street.

Chestnut Street from Frye Street to a point 250' northerly of Limerock Street, both sides.

Elm Street	north side, from Free Street easterly over a distance of 50'
Mountain Street	from Route 1 to Cross Street, west side
Route 1	from the south side of Route 1 from Route 52 to Sea Street (adopted July 21, 2003 Select Board Meeting)
Sea Street	from High Street to Cove Road

15.10 Handicapped Parking Spaces on Certain Streets

When signs are erected giving notice that a parking space is designated as Handicapped Parking, no person shall stop, stand or park a vehicle or a motorcycle in a parking space marked as a Handicapped Parking space unless a vehicle parked in that space bears a special registration plate or placard issued under Title 29, Maine Revised Statutes, Section 252, 252-A or 252-C, or a similar plate issued by another state.

Whenever any parking space on a public way is designated for handicapped parking, the Town Manager or his designated representative, shall post a sign adjacent to and visible from each handicapped parking space indicating that the space is designated only for handicapped parking. The sign shall display the international symbol for accessibility. Parking spaces shall be deemed to be marked as designated handicapped parking spaces when such a space is indicated by a painted sign on pavement and a vertical standing sign which is visible in existing weather conditions.

Any person violating the provisions of this subsection by parking in a handicapped parking space shall be subject to the penalties set forth in Section 15-A, Subsection 4.

Schedule 10

In accordance with Section 15.10 and when signs are erected giving notice thereof, no person shall stop, stand or park a vehicle or motorcycle in any handicapped parking space designated below, except a vehicle authorized to park in a designated handicapped space as set forth in Section 15.10:

- a. Elm Street- North side, beginning at the intersection of Washington Street, one parallel space, over a distance of 20'
- b. Chestnut Street-East side, beginning 200' south of Elm Street, one diagonal space, over a distance of 20'
- c. Chestnut Street - East side, south of Elm Street, one diagonal space to be van accessible adjacent to the space in item b
- d. Atlantic Avenue-South side, beginning 313' from the intersection of Main Street, one parallel space over a distance of 20'

- e. Atlantic Avenue-South side, beginning 133' from the intersection of Main Street, one parallel space over a distance of 20'
- f. Mechanic Street-North side, beginning 58' from the intersection of Washington Street, one space over a distance of 22'.
- g. Washington St. -Last space on the west side on Washington St. at the Mechanic St. intersection.
- h. Main St. - Both sides of Main Street near the crosswalk going from Lord Camden Inn to Emporium.

15.11 Handicapped Parking Spaces in Municipal Public Parking Areas

In every municipal public parking lot, the Town Manager shall designate one (1) handicapped parking space in an appropriate location for every twenty-five (25) parking spaces made available to the public in that parking lot. The Town Manager or his designated representative shall post a sign adjacent to and visible from each such handicapped parking space indicating that the space is designated only for handicapped parking. The sign shall display the international symbol for accessibility. Parking spaces shall be deemed to be marked as designated handicapped parking spaces in a municipal public parking lot when such a space is indicated by a vertical standing sign which is visible in existing weather conditions.

After a parking space has been designated with a sign in a municipal parking lot, no person shall stop, stand, or park a vehicle or a motorcycle in a parking space marked as a handicapped parking space unless a vehicle parked in that space bears a special registration plate or placard issued under Title 29, Maine Revised Statutes, Section 252, 252-A, or 252-C, or a similar plate issued by another state.

Any person violating the provisions of this subsection by parking in a handicapped parking space shall be subject to the penalties set forth in Section 15-A, Subsection 4.

See Section 15-A, Penalties.

Section 15.12 Permit Parking for Windjammers and Fisherman's Vehicles

When permits are issued by the Town giving notice thereof, windjammer and fisherman's vehicles may be parked at the Public Landing as follows:

SCHEDULE 12 PERMIT PARKING FOR WINDJAMMER AND FISHERMAN'S VEHICLES

In accordance with Section 15.12 when permits are issued by the Town giving permission thereof, authorized windjammer and fisherman's vehicles may be parked at the Public Landing as follows:

Public Landing-a permit for one space for each commercial fisherman with a boat moored in the harbor from dawn to

4:00 PM Monday through Saturday. The Town shall erect signs to prohibit stopping, standing or parking a vehicle other than an authorized fisherman's vehicle in spaces allocated for fishermen at the edge of the harbor bulkhead.

Public Landing-a permit for one space for each daysailer using the Town floats, when the vessel is in commercial use.

Public Landing-a permit for one space for each licensed windjammer owner whose vessels are berthed at the Town floats, when any of the vessels are in port at their permitted berth.

Public Landing-Curtis Island caretakers will be issued an unrestricted permit for one vehicle for parking on the Camden Public Landing. Permit sign to be displayed from the vehicle's rearview mirror.

Atlantic Avenue-a permit for one space for each licensed windjammer at the head of the harbor when the vessel is in port at its permitted berth.

15.13 Tow Away Zones

When the signs are erected giving notice thereof, no person shall stop, stand or park a vehicle upon any of the streets, parking lots or parts thereof which are designated as a tow-away zone as follows:

SCHEDULE 13

In accordance with Section 15.13, when signs are erected giving notice thereof, no person shall stop, stand or park a vehicle upon any of the streets, parking lots or parts thereof as follows:

Public Landing-spaces marked as permit parking for fisherman only, dawn to 4:00 PM Monday through Saturday.

Steamboat Landing Road-east and west sides, from 160' south of Sea Street over a distance of 25'.

15.14 Parking in a Tour Bus or Shuttle Bus Stop

SCHEDULE 14

In accordance with Section 15.14, when signs are erected giving notice thereof, no person shall stop, stand or park a vehicle upon any of the streets, parking lots or parts thereof as follows:

Spaces marked by yellow lines and signs as Tour Bus Parking Spaces

Spaces marked by yellow lines and signs as Shuttle Bus Parking Spaces

15.15 Violation for Shuffling or Relocating Vehicles to Avoid Penalties

No person shall relocate or move a vehicle in order to avoid a violation of the two-hour parking limit for any street, parts of

streets or public parking lot, set forth in Section 15.6 of the Ordinance, or remove or erase a chalk mark placed on a tire of a vehicle by a law enforcement officer in order to designate the duration that the vehicle has occupied a two-hour limited parking space. For purposes of this Section, the following actions by any such person shall be considered prima facie evidence of such prohibited conduct, when observed by a law enforcement officer:

(1) When a person moves or relocates a vehicle which has been parked less than two hours from a two-hour limited parking space and then returns to the same parking space or moves to a parking space within 500 feet from the same parking space, as measured along the street or within a public parking lot, within five minutes of the time that the initial parking space was vacated; or

(2) When a person moves or relocates a vehicle from a two-hour limited parking space directly to an adjacent parking space in front of that parking space or to an adjacent parking space at the rear of that parking space.

Any person who has engaged in the prohibited conduct shall have committed a violation of this Section of the Ordinance, and shall pay the penalty set forth in Section 15-A, Section 7.

*Adopted June 18, 1990. Sections 15.10, Schedule 10 and 15.11 were adopted January 25, 1993, Section 15.13 adopted June 20, 1994; Section 15.14 adopted

October 7, 1996, Section 15.15 adopted by the Selectmen July 7, 1997.

Historical Note: Adopted September 26, 1966, as revised May 27, 1968, May 10, 1976, June 28, 1976, July 12, 1976, August 8, 1983, May , 1992, October 7, 1996 and at other times as stated with the ordinances

State Law Reference: 29 MRSA, Sec. 2303

***Section 15-A Penalties**

(1) Any person who violates any of the provisions of Sections 12.1, 12.3 through 12.5, 13.1 through 13.4, 13.6 through 13.10, 14.2 through 14.3, and 14.5 through 14.7, inclusive, shall be subject to a fine of not less than \$10 and not more than \$50; provided, however, that such person may, in lieu of such penalty, within 48 hours of the date of the violation, pay the sum of \$20 for each violation of said sections. Such payment shall constitute a method by which persons charged with violations of those parking regulations may waive all court action by payment of specified fees within stated periods of time, in accordance with Title 30-A, M.R.S.A., Section 3009(1)(C)(2). Any violator making such payment shall be given a receipt for every such payment, and a copy of such receipt along with all monies paid shall be delivered to the Town Treasurer by the Police Department.

(2) Any person who violates any of the provisions of Section 13.5 shall be subject to a fine of not less than \$20 and not more than \$250. Any person violating this provision of the ordinance may, in lieu of such penalty, within forty-eight hours of the date of the violation, pay the sum of \$20.00 for a violation of that section of the ordinance. Such payment shall constitute a method by which persons charged with a violation of this section of the ordinance may waive all court action by the payment of a specified fee within stated periods of time, in accordance with Title 30-A ss 3009 (1)(c)(2). Any violator making such payment shall be given a receipt for every such payment and a copy of such receipt along with all monies paid shall be delivered to the Town Treasurer by the Police Department.

(3) Any person who violates any of the provisions of Sections 15.3 through 15.6, 15.7, Section 15.8 and Section 15.9, inclusive, shall be subject to a fine, for each day of such violation, of \$6 for the first offense, \$15 for the second offense, and \$20 for the third offense and \$25 for any offense after the third offense on that day. A late fee of \$10 will be charged for parking tickets paid after seven days. After the fifth violation by any person in any twelve month period subsequent to the date of adoption of this ordinance amendment, the fine for each subsequent violation by that person within the twelve-month period shall be \$20 and \$20 for any subsequent offense on each day of violation.

[Any person who violates any of the provisions of Section 15.3 through 15.6, or Section 15.7 through Section 15.9, inclusive, may, in lieu of the payment of the penalty described above, within forty-eight hours of the date of the violation, pay the fine for a violation of such a section of the ordinance. Such payment shall constitute a method by which persons charged with violations of those parking regulations may waive all court action by the payment of specified fees within stated periods of time, in accordance with Title 30-A M.R.S.A. ss3009 (1)(c)(2). Any violator making such payment shall be given a receipt for every

such payment and a copy of such receipt along with all monies paid shall be delivered to the Town Treasurer by the Police Department.]

(4) Any person who violates any of the provisions of Sections 15.10 or 15.11 by parking a vehicle or motorcycle in a designated handicapped parking space in violation of those subsections shall be subject to a fine for a civil violation in the amount of \$100.00 for the first two-hour violation and \$100.00 for each additional violation or portion thereof.

Any person who violates any of the provisions of Section 15.14 shall be subject to a fine of \$50.00.

Any person who violates any of the foregoing provisions of Section 15, may, in lieu of the payment of the penalty described above, within forty-eight hours of the date of the violation, pay the fine for a violation of such a section of the ordinance. Such payment shall constitute a method by which persons charged with a violation of those parking regulations may waive all court action by the payment of the specified fee within stated periods of time, in accordance with Title 30-A M.R.S.A. ss 3009(1)(c)(2). Any violator making such payment shall be given a receipt for every such payment and a copy of such receipt, along with all monies paid, shall be delivered to the Town Treasurer by the Police Department.

Any person who violates any of the provisions of Section 15.14 shall be subject to a fine of \$50.00.

(5) "Disabling Mechanical Device"

After the third violation of any provisions of this ordinance by any person in the six month period commencing on July 1, 2000 and ending on December 31, 2000 and after the fifth violation of any provisions of this ordinance by any person in any twelve month period commencing after January 1, 2001, and the failure of such person to pay penalties assessed against that person for any of those violations, the offending vehicle owned by that person shall, upon discovery by a police officer within the jurisdiction of the Town, be disabled by the placement of a mechanical device by that police officer or at the direction of that police officer which prevents the vehicle from being moved. This mechanical device, commonly known as a "Disabling Mechanical device", shall be removed from the vehicle upon payment of all of the unpaid fines which the owner has previously failed to pay, and costs then owed to the Town, as required by this ordinance.

After such third violation for the period July 1, 2000 through December 31, 2000 and after such fifth violation for the period after January 1, 2001, as set forth above, an officer of the Police Department shall provide that person with written notice delivered to the last known address of that person, and that notice shall warn that person of the provisions of the ordinance concerning the placement of a disabling mechanical device on that vehicle. A postal certificate of mailing shall be conclusive evidence that the written notice was given on the date set forth on the certificate of mailing. The disabling mechanical device shall not be placed upon that vehicle until such warning has been sent to the registered owner of that vehicle.

In the event that a disabling mechanical devise is placed upon a vehicle, the police officer directing the placement of that device shall not cause the removal of that device until

the registered owner of the offending vehicle has paid all unpaid fines; an administrative removal fee which shall include but not be limited to the cost of mailing notices, as set forth in the previous paragraph, and booting costs; any costs of towing of that vehicle incurred by the Town; and all other costs incurred by the Town concerning that vehicle including the Town's reasonable attorney's fees. The cost of said administrative removal fee shall be \$25.00 for the first removal and shall increase by \$25.00 for each subsequent removal.

Any vehicle disabled in accordance with the provisions of this ordinance shall remain in the location where that vehicle has been disabled until 6:00 p.m. on the day that the vehicle was disabled. After 6:00 p.m. on that date, a police officer may arrange for the removal of that vehicle to an automobile garage or some other suitable location, in the discretion of that police officer, until the registered owner of the vehicle has paid all unpaid fines and costs required for the removal of the disabling mechanical device.

The removal of the disabling mechanical device, after that device has been placed upon a vehicle by a police officer, shall be a violation of this Ordinance. The penalty for such a violation of this Ordinance by the removal of the disabling mechanical device by any person, except a police officer for the Town of Camden, shall be a civil penalty of \$250.00, together with reimbursement to the Town for any expense or cost incurred by the town arising from the loss of the disabling mechanical device or damage to that device as a consequence of such removal, upon complaint by the municipality in the District Court for Knox County. The removal of the disabling mechanical device from a vehicle in violation of this Ordinance shall be prima facie evidence that the registered owner of that vehicle was legally responsible for the removal of the device.

After the third violation of any provisions of this ordinance by any person in the six month period commencing on July 1, 2000 and ending on December 31, 2000 and after the fifth violation of any provisions of this ordinance by any person in any twelve month period commencing after January 1, 2001, and the failure of such person to pay penalties assessed against that person for any of those violations, in addition to any other penalties or sanctions set forth in Section 15-A of this ordinance, any person who has been found to have made more than five violations of the provisions of this ordinance by the Maine District Court, shall be subject to a civil penalty in addition to any other penalties or sanctions for such violations, in the amount of \$100.00 and, if the municipality is the prevailing party concerning civil proceedings brought by the Town in connection with such violations, the Town shall be awarded reasonable attorneys fees and costs in connection with those civil proceedings."

Historical note: Adopted by the Selectmen 07/17/00

(6) Whenever any motor vehicle is stopped, standing or parked in violation of this ordinance or the registered owner or operator of that vehicle otherwise violates this ordinance, the registered owner of that vehicle shall be subject to the penalties set forth in Section 15-A of this ordinance or in other provisions of this ordinance. Each violation shall be a separate offense.

An officer of the Police Department, upon finding such vehicle which is in violation of this ordinance, shall record the registration number, and any other information which may identify

the registered owner, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the Town, for the registered owner of the vehicle to answer the charge or charges against that person. The traffic citation or traffic summons shall bear the time, date and place of the violation, and the name of the police officer recording the violation. A stub containing the same information, along with the registration number of the offending vehicle shall be retained by the Police Department, and that stub shall be prima facia evidence that the registered owner of that vehicle is in violation of the ordinance.

Upon issuance of a traffic citation or summons to the registered owner of an offending vehicle, an officer of the Police Department is hereby authorized to summons the registered owner of that vehicle for a court proceeding in the Maine District Court, Division of Knox County.

The summons must include, at a minimum, the signature of the police officer, a brief description of the alleged offense, time and place of the alleged offense, and the time, place and date that the person is to appear in court.

Upon service of the summons, the police officer issuing the summons shall be responsible for the filing of the summons with the District Court and for arrangements for appropriate representation of the Town at a court proceeding involving the violation.

The violation of any provision of this ordinance is a civil violation.

(7) Any person who violates any of the provisions in Section 15.15 of this Ordinance shall be subject to a fine of \$20. for the first such violation and a fine of \$50. for each additional violation of that Section of the Ordinance within any 12-month period commencing with the date of the first violation.

Any person who violates any of the foregoing provisions of Section 15.15, may, in lieu of the payment of the penalty described above, within 48 hours of the date of the violation, pay the fine for a violation of such a Section of the Ordinance. Such payment shall constitute a method by which persons charged with a violation of those parking violations may waive all Court action by the payment of the specified fee within the stated periods of time, in accordance with Title 30-A M.R.S.A. 3009 (1)(c)(2). Any violator making such payment shall be given a receipt for every such payment and a copy of such receipt, along with all monies paid, shall be delivered to the Town Treasurer by the Police Department.

*Entire Section 15-A adopted June 18, 1990. Section 4 was adopted January 25, 1993, Sections 3 and 4 amended June 21, 1993, Section 4 amended October 7, 1996; Section 4 amended 11-17-97.

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART V

Reserved

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART VI

**Ordinance for the Town of Camden for Licensing Taxicabs and Regulation of the
Operations of Taxicabs**

(1) This Ordinance shall be known and may be cited as an Ordinance for the Licensing and Regulation of the Operation of Taxicabs. This Ordinance is codified pursuant to Title 30, MRSA, Sec. 2151 (3) and the General Police Powers of the Town of Camden and this Ordinance has been enacted pursuant to the provisions of Title 30, MRSA, Sec. 2151 (3) (C).

(2) Purpose

The purpose of this Ordinance is to control the issuance and revocation of licenses for the operations of taxicabs in the Town of Camden and regulation of the operation of taxicabs pursuant to those licenses in the interest of protecting the welfare of the citizens of the Town of Camden and of the public.

(3) Definitions

(a) Licensee - For purposes of this Ordinance, "licensee" shall include the holder of a valid license to operate a taxicab or to permit or cause the operation of a taxicab in the Town of Camden.

(b) Taxicab - Any vehicle used or to be used for the transportation of a passenger or passengers for hire from place to place within the Town of Camden or from a place within the Town of Camden to a place outside the Town of Camden shall be deemed a "taxicab" within the meaning of this Ordinance, except a motor vehicle subject to regulation by the Public Utilities Commission of the State of Maine. The capacity of Taxicabs shall not exceed 7 passengers plus a driver shall not be considered a Taxicab.

(c) Licensing Authority - The "licensing authority" for purposes of this Ordinance shall mean the Board of Selectmen of the Town of Camden.

(4) Licensing Requirement

No person shall operate a taxicab in the Town of Camden or permit or cause the operation of a taxicab in the Town of Camden unless that person shall have first obtained from the Town of Camden a taxicab license issued by the Board of Selectmen of the Town of Camden upon a vote of the majority of the Board of Selectmen to issue such a license.

No licensee for a taxicab shall permit or cause any person to operate a taxicab unless that person conforms with the requirements for issuance of a license in accordance with Section 6 of this Ordinance and the information concerning that person set forth in Section 5(e) (f) of this Ordinance has been supplied by that person on forms provided by the Town of Camden for that purpose.

(5) Application for License

Applications for all taxicab licenses shall be made in writing to the Board of Selectmen of the Town of Camden and the application shall contain the following information on forms provided by the Town of Camden to the applicant:

- (a) The full name of the applicant;
- (b) The full current address and addresses for the prior five years;
- (c) The date and place of birth, age, height, weight and color of eyes;
- (d) A statement granting the Chief of Police the authority to check the criminal records of any law enforcement agency for information concerning the applicant. The applicant must agree to submit to having his fingerprints taken by the licensing authority if it becomes necessary to resolve any questions as to his identity;
- (e) The answers to the following questions:
 - (1) Are you currently under indictment or information for a crime for which the maximum penalty is imprisonment for a period of one year or more than one year?
 - (2) If you have ever been convicted of a crime for which the maximum penalty was at the time, or is now, imprisonment for one year or more, identify the nature of the crime, the date of the Judgment and the sentence imposed by the Court.
 - (3) Are you a fugitive from justice?
 - (4) Are you an unlawful user of or addicted to marijuana or any other drug?
 - (5) Have you been voluntarily or involuntarily committed to a mental institution or received psychiatric in-patient services in a hospital for a period greater than two weeks within the prior five years?
 - (6) Have you been adjudicated to be an incapacitated person pursuant to Title 18-A, Article 5, Part 3 and 4 and not had that designation removed by an order under Title 18-A, Sec. 5-307, Subsection B?
 - (7) Have you been dishonorably discharged from the military forces within the prior five years?
 - (8) Are you an illegal alien?
 - (9) Has your driver's license to operate a motor vehicle been suspended within the prior five years?
 - (10) Have you been convicted of operating a motor vehicle under the influence of intoxicating liquors or operating a motor vehicle under the

influence of drugs within the prior five years?

(11) Have you been convicted of negligent or reckless driving to endanger within the prior five years?

By affixing his signature to the application, the applicant certifies that the information in the application provided by him is true and correct and that he understands that an affirmative answer to any questions in Subparagraph (e) is a consideration in a refusal to issue the license and that any false statement shall result in refusal to issue the license and other penalties as provided by law.

(f) The applicant shall submit the following information concerning all drivers that the applicant shall cause or permit to operate taxicabs in accordance with the license granted by this Ordinance:

(1) Full name;

(2) Full current address and addresses for the prior five years; and,

(3) The date and place of birth, age, height, weight and color of eyes of the driver.

(g) The applicant shall cause to be submitted an attachment to be provided by the Town together with the application form which contains the statements and questions set forth in Subparagraph (d) and (e) of this Section 5 of this Ordinance which said questions and information shall be provided by the drivers of the taxicab whom the licensee shall cause or permit to operate taxicabs under that license and this attachment shall be submitted to the Town Office directly by those drivers.

(h) The applicant and any drivers of taxicabs under the license provided by this Ordinance shall submit to being photographed and that photograph shall become a permanent part of the application submitted hereunder.

(i) The applicant shall submit together with the application a certificate of insurance or other proof of insurance showing liability insurance coverage for the applicant and any drivers of taxicabs under this license in an amount not less than \$100,000 each person and \$100,000 aggregate.

(j) The applicant and any driver of a taxicab shall show proof of a current valid Maine driver's license.

(k) The applicant shall submit the required application fees as reflected on the schedule of taxicab application fees, as adopted and amended from time to time by the Select Board. The current schedule of fees shall be attached to this ordinance, as "Schedule A".

The requirements and information set out in this Section of the Ordinance constitute a complete application and no license shall be issued until the receipt of a complete application by the Board of Selectmen.

(6) Requirements for Issuance of a License

The following requirements must be met by the applicant for the issuance of a license for the operation of taxicabs and a license shall be issued to any applicant who meets all of these requirements:

- (a) The applicant shall be eighteen years of age or older;
- (b) The applicant shall not have been convicted within five years prior to the date of application of a crime which is punishable by a maximum term of imprisonment equal to or exceeding one year;
- (c) The applicant shall not be an unlawful user of or addicted to marijuana or any other drug;
- (d) The applicant shall not be a fugitive from justice;
- (e) The applicant shall not have been adjudicated to be incapacitated person pursuant to Title 18-A, Article 5, Parts 3 and 4 and not had that designation removed by an order under Title 18-A, Sec. 5-307, Subsection B;
- (f) The applicant shall not be an illegal alien;
- (g) The applicant shall not have been convicted of operating under the influence of intoxicating liquors or operating under the influence of drugs within five years prior to the date of application.
- (h) The applicant shall not have been convicted of negligent or reckless driving to endanger within five years prior to the date of the application.
- (i) The applicant shall have and maintain at all times a current valid Maine driver's license.
- (j) The applicant shall maintain at all times liability insurance coverage for the applicant and any drivers of taxicabs under this license in an amount not less than \$100,000 each person and \$100,000 aggregate.
- (k) The applicant has not been convicted of a crime of theft, deception or negotiating a worthless instrument within the last ten years.
- (l) The applicant has not been convicted of a crime of gross sexual assault/misconduct/contact, murder, manslaughter, kidnapping, unlawful restraint, assault, aggravated assault, criminal threatening, terrorizing, stalking, reckless conduct, visual sexual aggression, criminal violation of a protection from abuse Order, criminal violation of a protection from harassment Order, unlawful sexual aggression, or unlawful sexual contact/touching, within twenty years of the date of application.
- (m) The applicant shall permit or cause the operation of taxicabs only by drivers who at all times meet and comply with the requirements set forth in Section 6.

(7) Issuance of First License

Upon receipt of a complete license application, the Selectmen shall issue the license to the applicant only in the event that the applicant meets all of the requirements set forth in Section 6 of this Ordinance. In the event that the applicant does not meet the requirements of this Ordinance for issuance of a license, the Selectmen shall issue a determination in writing based upon the evidence submitted to the Selectmen by the applicant in connection with the application and all evidence available to the Selectmen based upon inquiry by the municipal officers or the Chief of Police of the Town of Camden of evidence recorded by a government entity.

A license issued under this Ordinance shall be valid for a period of one (1) year from the date of issuance of the license.

Each license issued shall contain the name, address, and photograph of the applicant. Each license issued shall contain the name, address and photograph of each driver of a taxi who shall be permitted or caused to operate a taxicab under the license by the applicant.

The licensing authority shall issue a license or deny, and reply in writing as to the reasons for any denial of a license, within thirty (30) days of the date of receipt of a complete application for a license.

(8) Renewal of License

At the expiration of a first license to operate taxicabs in accordance with this Ordinance, a licensee may apply annually for a renewal of that license by submitting a certification to the licensing authority that the information contained in the first application for a license has not changed; that that information is true and correct as of the date of renewal of the license; or a statement in writing of any changes or corrections in the information presented in the original application for a license as of the date of renewal.

In the event that the applicant continues to conform with all of the standards in Section 6 of this Ordinance at the time of renewal, then the Selectmen shall renew the license for an additional period of one (1) year. In the event that the applicant does not meet the requirements of this Ordinance for issuance of a license as of the date of renewal, then the Selectmen shall issue a determination in writing based upon evidence of the type set forth in Section 7. The licensing authority upon denial of any renewal of a license shall reply in writing as to the reasons for that denial within thirty (30) days of the date of receipt of an application for renewal.

(9) Revocation or Suspension of License

The licensing authority may, after a hearing and notice to the applicant, suspend or revoke any license for a taxicab which has been issued under this Ordinance on the grounds that there has been a material misstatement made on the application, or that the applicant has violated the requirements of this Ordinance, or that the applicant has become ineligible to make an application under this Ordinance.

To the extent required by law, and in particular Title 1, MRSA, Sec. 401 through Sec. 410, any hearing pursuant to this Section of the Ordinance shall be public. To the extent that any hearing pursuant to the Ordinance involves information that is made confidential

by law, the hearing or portion of the hearing involving confidential information shall not be made public unless the applicant agrees to authorize the release of that information or a public discussion of that information.

No person, otherwise qualified, who has had a license revoked pursuant to the provisions of this Section is eligible for reapplication until the expiration of thirty (30) days from the date of revocation.

In the event that the licensing authority suspends or revokes a license pursuant to this Section, the licensing authority shall within seven (7) days of the date of hearing issue a written statement specifying the grounds for revocation of the license or suspension of the license. With regard to the suspension of the license, the specific time period of the suspension shall be stated in the written statement of suspension.

(10) Display of License

Every licensee shall have a license displayed in all vehicles operated as taxicabs under the terms of this license and shall display this license on demand to any law enforcement officer.

(11) Taxicab Operators

A licensee shall not cause or permit any person to operate a taxicab under the applicant's license in the event that that person does not meet the requirements contained in this Ordinance or in the event that the applicant has not provided the information concerning that person to the licensing authority as required in this Ordinance.

(12) Confidentiality

To the extent required by law, and in particular Title 1, MRSA, Sec. 401 to 410 and Title 16, MRSA, Sec. 611 through 622, all applications, refusals and supporting documentation received pursuant to the application section of this Ordinance are confidential and may not be made available for public inspection or copying. The individual may waive this confidentiality by written notice to the issuing authority. All proceedings relating to the granting, denial or revocation of permits are not public proceedings to the extent that those proceedings are not public by law, unless otherwise requested by the applicant.

(13) Record of License

The licensing authority shall make a permanent record of each license for a taxicab in a suitable book or file kept for that purpose. The record shall include the date of issuance, the name, age, sex and street address of the licensee, and shall be available for public inspection.

(14) Conspicuous Identification

Every taxicab owner thus licensed shall have the word "taxi" and the town license number plainly painted in a conspicuous place on each and every taxicab operated by him in letters not less than two (2) inches in height.

(15) Parking Spaces

A licensee for the operation of taxicabs and any employee thereof operating or driving a taxicab shall only park a taxicab in spaces designated by the Board of Selectmen within the business district of the Town of Camden. The business district is as defined in the Zoning Ordinance of the Town of Camden.

Other taxicabs owned by a licensee shall be parked on outlying streets until they are called into service or until the stand in the business district is vacant.

(16) Penalty

Whoever violates a provision of this Ordinance by operating a taxicab without a license shall be punished by a fine of Five Hundred Dollars (\$500) for the first offense and One Thousand Dollars (\$1,000) for each subsequent offense to be recovered on complaint to a court of competent jurisdiction, to the use of the Town of Camden. Each instance of operation of a taxicab without a license shall be deemed a separate offense.

In the event of operation of a taxicab without a license, the Town shall be authorized to seek an injunction from a court of competent jurisdiction to prohibit further operation of taxicabs without a license by a person who has unlawfully operated taxicabs in the Town of Camden without a license.

(17) Separability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

(18) Effective Date

This Ordinance shall become effective immediately upon enactment by the municipal officers. (See below.)

Historical Note: Accepted August 8, 1983. Effective October 1, 1983. Amended June 13, 2006, Amended November 4, 2008.

State Law Reference: 30 MRSA, Sec. 1917, Sec. 2151; 35 MRSA, Sec. 908, Sec. 1642; 29 MRSA, Sec. 1367; 17 MRSA, Sec. 3204

Schedule A

**TOWN OF CAMDEN
Taxi Cab Fees**

Taxi Cab Business License Application.....	56.00
(This includes one driver and Criminal Background Check)	
Each Additional Taxi Cab.....	5.00
Taxi Cab Driver Application.....	56.00
(This includes Criminal Background Check)	

NOTE: If you are applying for a Taxicab Business License or Taxicab Driver Application with the City of Rockland, the fee for the Criminal Background Check can be waived. To do this, you must furnish a notarized copy of the Criminal Background Check done by the Rockland Police Department with this application. The copy of the background check can be no more than thirty (30) days old.

This payment schedule is part of Chapter VIII Town of Camden Police Ordinance, Part VI Licensing Taxicabs and the Regulation of the Operation of Taxicabs

Adopted by the Camden Select Board on December 9, 2008; amended by the Camden Select Board on February 3, 2009

CHAPTER VIII TOWN OF CAMDEN POLICE ORDINANCE

PART VII

Effect of and Short Title of Ordinances

Effect of Ordinance

If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Repeal

The former ordinance of this Town of Camden, Maine is hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Publication of ordinance

The Town Clerk shall certify to the passage of this ordinance and cause the same to be published in the Camden Herald.

Short Title

This ordinance shall be known and cited as the Camden Ordinance.

Effective date

This ordinance shall take effect from and after the 26th day of Sept., 1966.

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART VIII

**Ordinance Regulating Parking of Commercial Haulers of Trash and Travel by
Commercial Haulers of Trash**

(1) Pursuant to Title 30, Maine Revised Statutes, Sec. 2151(3), an ordinance for the regulation of parking and travel by commercial haulers of trash, garbage and refuse on public ways in the Town of Camden is hereby enacted. The purpose of this ordinance is to prevent litter on public ways of garbage, trash and refuse by commercial haulers and to curtail parking in downtown areas of vehicles loaded with unsightly and odorous trash, garbage or refuse.

(2) No commercial hauler of trash, garbage or refuse shall park a vehicle used for the transportation of trash, garbage or refuse unattended for more than fifteen (15) minutes in the downtown area of the Town of Camden on a public way.

For purposes of this ordinance, the downtown area shall be considered to be the following portions of the named streets: the portion of downtown from the intersection of Elm Street and John Street to the intersection of High Street and Sea Street; the portion of Chestnut Street from the intersection of Elm Street and Chestnut Street to the intersection of Chestnut Street and Limerock Street; the portion of Bay View Street from the intersection of Main Street and Bay View Street to the intersection of Bay View Street and Limerock Street; all of Commercial Street; the Public Landing; the portion of Washington Street from the intersection of Elm Street and Washington Street to the intersection of Washington St. and Mechanic Street; the portion of Mechanic Street from the intersection of Elm Street and Mechanic Street to the intersection of Mechanic Street and Washington Street.

(3) At all times when a vehicle carrying trash, garbage or refuse is moving on a public way within the Town of Camden, a commercial hauler shall cause that trash, garbage or refuse to be secured and to be completely covered so that such trash, garbage or refuse does not litter the roadway. The commercial hauler or any employee or agent thereof shall assure that at all times no trash, garbage or refuse is permitted to fall to the roadway during the operation of the vehicle transporting that trash, garbage or refuse.

(4) For purposes of this ordinance, a commercial hauler shall mean any corporation, partnership, firm, individual, or any other business entity operating a business for the hauling and transporting of trash, garbage and refuse for profit. A commercial hauler shall be responsible for any actions of an employee or agent thereof in connection with the commercial hauling of trash, garbage or refuse.

(5) Penalty: Any person, firm or corporation violating any provision of this ordinance shall be fined not less than \$100 or more than \$250 for each offense. All fines and penalties shall be recovered on complaint by the Town before a court of competent jurisdiction to the use of the municipality.

Historical Note: Adopted July 23, 1984

State Law Reference: 17 MRSA, Sec. 2266; 29 MRSA, Sec. 1752

CHAPTER VIII POLICE ORDINANCE

Town of Camden

PART IX

Ordinance for the Regulation of Running Road Races

General

This Ordinance shall be known and may be cited as an ordinance for the Regulation of Running Road Races. This Ordinance is codified to the General Police Powers of the Town of Camden.

Purpose

The purpose of this Ordinance is to control the issuance of permits and the standards of operation for the conduct, sponsoring and management of running road races within the Town of Camden, and to assure that acceptable safety standards are observed and enforced in connection with such races.

Definitions

A Running Road Race - A "running road race" is defined as any recreational or promotional event in which individuals, by invitation or otherwise, are permitted to utilize the public ways for running, competitively or otherwise, under the sponsorship of any individual, organization or other entity as defined herein. Without limiting the generality of the foregoing, it is the intent of this Ordinance to include in the definition of "running road race" any event organized for the purpose of permitting or encouraging the public, or individuals by invitation to participate in such a race, for any reason. This Ordinance shall also include within its purview any biathlon, triathlon, or similar multi-event activity which includes a running road race.

B Sponsor - For purposes of this Ordinance, "sponsor" shall mean the individual, organization, business or other entity organizing, promoting, advertising, or otherwise originating a running road race, for any purpose.

Permit Required

No running road race shall be conducted within the municipal limits of the Town of Camden, in whole or in part, until the sponsor of such running road race shall have obtained a permit from the Town Manager with approval from the following: Camden Parks and Recreation Director, Camden Chief of Police, and President of the Camden First Aid Association. If said approval is not obtained, an appeal to the Camden Board of Selectmen may be made.

Minimum Safety and Organizational Standards

Any running road race or like event within the meaning of this Ordinance shall comply with the following minimum safety and organizational standards, which standards shall be promulgated by the Town of Camden and made available to sponsors in connection with issuance of permits:

(a) Any running road race, biathlon, triathlon or like event in which the running course exceeds five (5) miles, may be conducted only if, by arrangement of the sponsor and at the sole expense of the sponsor, an ambulance and customary ambulance personnel are present at or upon the site of the event during the event.

(b) Any running road race, biathlon, triathlon or like event occurring between May 1 and October 1 shall have a starting time prior to or at 9 a.m., or at or after 6 p.m.

(c) No running road race, biathlon, triathlon or like event shall be conducted unless Penobscot Bay Medical Center, and Camden First Aid Association, shall have been notified of such event, including the particulars of the event schedule, route, and related details, at least four (4) weeks prior to the date of such event. Notwithstanding this requirement, a sponsor may arrange for availability of an ambulance and ambulance personnel with any ambulance service company.

(d) Any running road race, biathlon, triathlon, or like event shall be conducted in full compliance with guidelines established by the American College of Sports Medicine, or alternatively, by such guidelines as may be specifically established and promulgated by the Town of Camden.

Liability Insurance

At the request of the municipal officials, the Town may require as a condition of the issuances of any municipal permit for a road race that the sponsor provide liability insurance in a form satisfactory to the municipal officers to protect the municipality from any claim resulting from the conduct of a road race within the boundaries of the Town roads or public ways in the Town of Camden.

Historical Note: Adopted March 9, 1987

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART X

ORDINANCE REGULATING PLACEMENT OF NEWSPAPER RACKS AND BOXES

Preamble

The Town of Camden hereby adopts the following Ordinance to regulate the placement and location of newspaper racks and boxes within the public rights of way and sidewalks in the Town of Camden. The purpose of this Ordinance is to reduce congestion and unsightly clutter on sidewalks and to keep sidewalks clear for safe and convenient travel by pedestrians.

Authority

This Ordinance is enacted pursuant to the Home Rule Authority granted to the Town in accordance with provisions in Titles 30-A M.R.S.A., Section 3001.

Definitions

Newspaper

A publication or news periodical containing news reports, editorials, or other information circulated within the Town of Camden on a daily, weekly, or any other regular basis.

Newspaper Rack or Box

Any self-service mechanical or coin operated box, container, or storage unit or other dispenser installed, used or maintained for the display of newspapers.

Public Way

Any street, Town road or Town way accepted by the Town of Camden or within the control of the Town of Camden.

Sidewalk

Any public sidewalk of the Town of Camden within the control or ownership of the Town.

Location Permit

The Board of Selectmen of the Town is hereby authorized to issue a permit for the placement of newspaper racks and boxes on sidewalks of the Town of Camden or adjacent to public ways, upon submission of an application which clearly demonstrates conformity with the requirements set forth below.

No newspaper rack or box shall be placed, used or maintained as follows:

- a. in any location within fifty feet of the location where two newspaper racks or boxes are already located in order to reduce congestion at any particular site;
- b. in a manner which reduces the clear, continuous sidewalk width to less than six feet;
- c. within twenty feet of any fire hydrant or other emergency facility;
- d. within ten feet of any marked pedestrian crosswalk;
- e. within ten feet of any intersecting driveway, alley or street; and
- f. in a manner which interferes with ingress or egress from private property or public facilities.

Construction and Design

Newspaper racks or boxes shall be constructed of metal or other material of substantially equivalent strength and durability, and shall not be more than fifty inches in height and not more than twenty-five inches in length and width. The news paper rack or box shall not be painted in florescent or gaudy paint or coloring.

Placement of Newspaper Racks or Boxes Within Public Sidewalk- Newspaper racks and boxes shall be placed either adjacent and parallel to building walls not more than six inches distant from the vertical plane of the wall or near and parallel to the sidewalk curb, not less than twelve inches and not more than twenty-four inches distant from the curb, subject to the requirement that the placement of any such newspaper rack or box shall not cause a safety hazard for pedestrian traffic or vehicular traffic by obstructing the view of such traffic from the public way. No newspaper rack or box shall be placed within three (3) feet on either side of the area directly in front of a display window which faces onto a public sidewalk or public way.

No newspaper rack or box shall face another newspaper rack or box divided only by the width of a sidewalk or pedestrian walk and no such newspaper rack shall be placed within twenty (20) feet on either side of a point which is directly opposite the center of a newspaper rack or box on the opposite side of a sidewalk.

No Advertising

No such newspaper rack or box shall be used for advertising signs or publicity purposes other than to display information for purposes of identifying the newspaper publication sold in the rack or box.

Attractive Appearance

Each newspaper rack or box shall be maintained at all times in a clean, neat and attractive condition and in good repair, and no issue or edition of any publication shall be allowed to remain in that newspaper rack or box for a period of time in excess of seven days from the date of initial publication. The owner of the newspaper rack or box shall ensure that snow in front of the box is removed so that the box is accessible during the winter.

Attachment to Other Property

No newspaper rack or box shall be chained, bolted or otherwise attached to property not owned by the owner of the newspaper rack or box, unless that owner shall at first obtain the written permission of the owner of property to which the rack or box is affixed.

Approval Process

Within twenty days of receiving an application for a permit, the Board of Selectmen shall notify the applicant whether the application is complete. The application will specifically show the location of the proposed newspaper rack or box on a sketch or diagram, and will show the design and construction of that rack or box together with any lettering thereon. If the application is determined to be incomplete, the Board of Selectmen shall notify the applicant in writing of the specific information necessary to complete the application. It shall be the responsibility of the applicant to provide the information required in the application. Within fourteen (14) days after the application is determined to be complete, the Board of Selectmen shall decide whether or not to issue the permit.

Standards for Issuance of Permit

In accordance with the approval procedure of Section 8.0, the Board of Selectmen shall issue a permit to any applicant who clearly demonstrates conformity with the location requirements and other requirements of this Ordinance for the placement of a newspaper rack or box.

Application Fee

At the time of presentation of application, the applicant shall pay an application fee of ten (\$10.00) dollars to cover the cost of processing the application. One application with one fee may be used to obtain permission for the placement of no more than three newspaper racks or boxes owned by the same newspaper or publication in three separate locations.

Non Transferable

Any permit issued under this Ordinance shall not be transferable to any other newspaper or publication.

Term

The term of the permit shall be for a period of one year, however, the permit shall be renewable for periods of one year each year thereafter upon submission of a renewal application clearly demonstrating continued conformity with the requirements set forth in this Ordinance. The renewal of this license does not require submission of an additional renewal application fee.

Revocation of Permit

The Board of Selectmen shall enforce this Ordinance and may revoke the permit of any permittee who violates the provisions of this Ordinance. The Board of Selectmen may revoke or suspend a permit for any period of time during which the permittee has failed to comply with the provisions and specifications set forth in this Ordinance.

Appeal

An aggrieved party may appeal any decision of the Board of Selectmen to issue a permit, deny a permit, or revoke a permit or suspend a permit, to the Superior Court within thirty days of the date of a written decision. In all instances, the Board of Selectmen shall issue a written decision and such decision shall be sent to the applicant or permittee.

Duration

Any permit for placement of a newspaper rack or box shall require that the newspaper rack or box remain in the approved location for at least nine months out of the twelve months for every licensed year in order to avoid temporary placement of such racks and boxes for time periods of short duration.

Liability Protection

The issuance of a permit under this Ordinance shall require that the newspaper owner agree to indemnify and hold harmless the Town of Camden from any damage to persons or property resulting from the placement of that newspaper rack or box within the sidewalk. The permit shall also require a release by the newspaper owner of the Town from any liability for damage to the property of the newspaper rack or box resulting from routine maintenance or plowing of the sidewalk or the public ways by the Town.

Prohibition on Display of Obscene Materials

No person shall display or exhibit in any newspaper rack or box, other than from a location from which minors are excluded, any lewd, or obscene material or pictures, unless a device commonly known as a "blinder rack" is placed in front of the lewd or obscene

materials or pictures so that the parts of those materials or pictures that are lewd or are obscene cannot be viewed from outside the newspaper rack or box. For purposes of this Ordinance, lewd or obscene materials shall be any written materials or photographs which are defined as sexually explicit materials within the meaning of Title 17, M.R.S.A. Section 2923 and any obscene materials within the meaning of Title 17, M.R.S.A Section 2912 (B).

Penalties

Any person who violates provisions of this Ordinance or fails to seek a permit or renewal which is required by this Ordinance shall commit a civil violation for which a penalty of one hundred (\$100.) dollars may be adjudged, upon a complaint by the municipality to the District Court. Each day of continued violation shall constitute a separate offense which subjects the violator to a penalty of one hundred (\$100.) dollars for each day of violation.

Severability

The provisions of this Ordinance shall be severable. If any portion of this Ordinance is held to be invalid, the remainder of this Ordinance and its application thereof shall not be affected.

Other Laws and Ordinances

In addition to compliance with this Ordinance, the permittee or any person subject to this Ordinance, must also comply with all other laws and Ordinances affecting the placement of newspaper racks and boxes, specifically including the Zoning Ordinance in the Town of Camden.

Historical Note: Adopted June 14, 1994.

CHAPTER VIII POLICE ORDINANCE
Town of Camden
PART XI

ORDINANCE AUTHORIZING NAMES FOR PRIVATE ROADS

Section 1 - Purpose

The Town of Camden hereby adopts the following ordinance authorizing the Select Board to select and approve names for private roads within the jurisdiction of the Town of Camden. The purpose of this ordinance is to permit the Town of Camden to establish names for private roads, which are not confusing, or duplications of other names and to avoid multiple names. Confusing, or multiple names for the same road adversely affect the provision of police, fire and ambulance services by the Town of Camden.

Section 2 - Authority

This ordinance is enacted pursuant to and in accordance with the Home Rule Authority granted to the Town by the provisions of Title 30-A, M.R.S.A., Section 3001.

Section 3 - Definition of Private Road

For purposes of this ordinance, a private road shall mean any unaccepted right of way for access to a lot or lots, whether developed or undeveloped, within the Town of Camden.

Section 4 - Names for Private Roads

The Select Board shall have the authority to select and approve names for private roads within the Town of Camden. This authority is in addition to the authority, by law, for the Town to name town roads and public roads and rights of way.

All requests for naming private roads shall be submitted to the Street Addressing Officer with the following submissions:

1. A written request stating the proposed name;
2. A plan of the private road showing all abutting parcels, the road length and width;
3. Documentation from the neighboring municipality as to the official name of any private road that crosses the town line.
4. Sign-offs from the Fire Chief, Police Chief and Street Addressing Officer.

Section 5 - Procedure for Approving Names

Prior to naming a private road, the Select Board shall hold a public hearing and shall accept public comment concerning the choice of an official name for the private road. In advance of the

public hearing, the Town shall publish notice of the public hearing in a general newspaper with local circulation not less than ten (10) days prior to the public hearing. The notice shall state the purpose of the meeting, the private road under consideration for designation of a name, including the usual or common name or names by which that private road is known. The notice shall also specify any proposed official name for that private road.

When the notice of the public hearing sets forth a proposed official name for the private road, then the Select Board shall approve the official name of that private road within twenty-one (21) days after the conclusion of that public hearing.

In the event that the notice of the public hearing does not set forth a proposed official name for the private road, then the Select Board shall publish another notice within ten (10) days after the conclusion of that public hearing which does set forth the official name for that private road. After publication of that additional notice, the Select Board shall approve the official name of that private road within twenty-one (21) days of the date of publication of that second notice.

Section 6 - Effective Date of Designation of Official Name

The designation of an official name for a private road shall be effective immediately after the date of approval at a Select Board Meeting. That official name shall be used for all purposes for the provision of municipal services by the Town of Camden and shall also be reported to the U.S. Postal Service for consideration in connection with delivery of mail. All police, fire and ambulance dispatching services shall use that official road name in all official business.

*Historical Note: Originally adopted November 8, 1994
Amended June 14, 2005 Annual Town Meeting, Warrant Article 18, and shall be effective seven (7) days after adoption.*

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART XII

PUBLIC NOISE AND CONDUCT ORDINANCE

Section 1 - Preamble

In accordance with the provisions of Title 30-A, Section 3001 of the Maine Revised Statutes, and by the authority granted therein under Section 3001, for the purpose of promoting the general welfare and providing for public safety and convenience, the Inhabitants of the Town of Camden adopt this Noise Ordinance.

The Town of Camden has determined by virtue of complaints to the Police Department and the Board of Selectmen from citizens, downtown merchants, and visitors to the Town, that certain conduct within portions of the Town designated in this ordinance, is preventing persons residing within those areas from fully enjoying their property and having a reasonable degree of quiet, particularly during nighttime hours, and is also preventing members of the public from enjoying public parks and other public spaces.

The Town further finds that reasonable regulations concerning noise are necessary in order to preserve a downtown area which is attractive to customers, visitors and residents and maintains a non-threatening environment within the downtown area, including public parks and public spaces.

The Town further finds that existing state laws and regulations do not fully and adequately address the difficulties experienced within the Town of Camden which are sought to be addressed by this ordinance, and that enforcement of such laws and regulations, when brought by officials not associated with the Town of Camden, is not sufficiently vigorous or timely in order to resolve the difficulties experienced in the Town.

Accordingly, exercising the home-rule powers conferred upon the Town, the Town does hereby adopt the following ordinance, which shall be referred to as the "Public Noise and Conduct Ordinance".

Section 2 - Prohibited Conduct and Acts

The following acts undertaken within the designated area of the Town of Camden as set forth in Section 4.0 (Exhibit A), are hereby declared to be a violation of this ordinance:

2.1 - Unreasonable, Loud and Raucous Noise

Yelling, shouting, hooting, whistling, singing, or the production of any other noise, in a loud and raucous manner, between the

hours of 11:00 PM and 7:00 AM on the following morning within the area set forth in Section 4.0 (Exhibit A), so as to unreasonably annoy or disturb the quiet, comfort, or repose of any persons located more than fifty feet (50') from the source

of that noise shall be prohibited.

2.2 - Obstructions of a Public Way

Knowingly and intentionally causing an unreasonable obstruction of a public way, road, street, sidewalk or walkway in a public park shall be prohibited within the designated area of the Town of Camden as set forth in Section 4.0 (Exhibit A).

2.3 - Unreasonably Loud Sound Production

The playing, using or operating of any radio, receiving set, musical instrument, or other machine or device for the production or reproduction of sound in such a manner as to unreasonably annoy or disturb the peace, quiet, comfort or repose of any other person located more than fifty feet (50') from the source of that sound shall be prohibited between the hours of 11:00 PM and 7:00 AM the following morning within the area set forth in Section 4.0 (Exhibit A).

2.4 - Unreasonable Sounds from Horns or Signaling Devices

The sounding of any horn or signaling device for an unnecessary or unreasonable length of time or for a purpose not associated with the proper and legitimate signaling activity undertaken in conjunction with the operation of a motor vehicle shall be prohibited within the areas set forth in Section 4.0 (Exhibit A).

Section 3 - Enforcement Procedure

3.1 Any violations of this ordinance shall be a civil violation, which shall be prosecuted through the issuance of a civil summons by the Camden Police Department in the same form and in the same manner of prosecution as would be the case with a parking violation. The regulations governing prosecution of parking violations are set forth in the Camden Code, Chapter VIII, Section 15-A, sub-section 1. Actions shall be prosecuted by the Camden Police Officers or by the Town Attorney in the District Court for Knox County, located in Rockland, Maine.

3.2 For any first violation of this ordinance, there shall be a civil fine or penalty imposed in an amount not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00). Each subsequent violation of this ordinance within a period of two (2) years from the date of the first violation, shall result in the imposition of a minimum civil fine or penalty of One Hundred Dollars (\$100.00) and a maximum fine or penalty of Two Hundred Fifty Dollars (\$250.00).

3.3 In addition to civil penalties for any violation of this ordinance, the Court shall require the violator to pay the Town reasonable attorney's fees incurred in connection with the prosecution of the violation, together with costs and filing fees incurred by the Town in

connection with that prosecution.

Section 4 - Designated Area

The provisions of this ordinance shall apply to areas of the Town of Camden set forth in Exhibit A, attached to this ordinance and incorporated by reference herein.

Section 5 - Separability

In the event that any provision of this ordinance shall be held illegal, it is intent that all remaining provisions of this ordinance, which are not declared illegal, shall remain in full force and effect.

EXHIBIT A

Designated Area

The designated area of this ordinance shall be:

1. the following streets and ways or portions of streets and ways:

Atlantic Avenue

Bayview Street: portion from Main to Frye Street

Chestnut Street: portion from Elm Street to Frye Street

Commercial Street

Elm Street: portion from Main Street to School Street

Free Street

Main Street: portion from Elm Street to Mountain Street

Mechanic Street: portion from Main Street to Knowlton Street

Tannery Lane; and

2. All public sidewalks, public ways, public walkways, public parks, and real property owned by the Town of Camden or other public entity which abut such streets or ways. "Public parks" shall include, without limitation, Harbor Park and the dam site, the Camden Public Library grounds and Amphitheater, the Village Green, and the Public Landing.

Historical Note: Adopted June 13, 1995 at Town Meeting

**CHAPTER VIII TOWN OF CAMDEN
POLICE ORDINANCE**

PART XIII

SIDEWALK ORDINANCE

SECTION 1 - PREAMBLE

The Town of Camden hereby adopts the following Ordinance to regulate the placement and location of obstructions on sidewalks or adjacent to public ways in the Town of Camden. The purpose of this Ordinance is to reduce congestion and unsightly clutter of sidewalks, to keep sidewalks clear for safe and convenient travel by pedestrians, and to protect the Town from claims of liability based upon the placement of obstructions on sidewalks.

SECTION 2 - AUTHORITY

This Ordinance is enacted pursuant to the Home Rule Authority granted to the Town in accordance with the provisions in title 30-A M.R.S.A., Section 3001, as amended from time to time.

SECTION 3 - DEFINITIONS

- 3.1 BENCH - A privately-owned bench placed on a sidewalk, including any structure on which patrons of businesses and members of the public can sit for the convenience of such individuals.
- 3.2 OBSTRUCTION - A bench, seating object, flower boxes, display of stock in trade, or other object placed by a person which hinders or impedes the free and uninterrupted passage of pedestrians and any public works equipment upon any sidewalk, included in this definition is any sign, awning or architectural feature that is located less than seven (7) feet in height as measured from the sidewalk surface. See also MRSA 17A Section 505 and Appendix A Ordinance Regulating Placement of Newspaper Racks and Boxes.
Historical Note: Adopted June 14,1994.
- 3.3 PERSON - A natural person, corporation, partnership, or business entity.
- 3.4 PUBLIC WAY - Any street, Town road, public easement or Town way accepted by the Town of Camden or within the control of the Town of Camden.
- 3.5 SALE - The exchange of any object of merchandise or food for any form of consideration, whether at retail or wholesale, regardless of whether a profit is made.
- 3.6 SIDEWALK - Any public improved path for pedestrians abutting a public way of the Town of Camden within the control or ownership of the Town.
- 3.7 STRUCTURE - Anything constructed or erected adjacent to, on, or above the sidewalk.

SECTION 4.0 – OBSTRUCTIONS TO PUBLIC PASSAGE

- 4.1 No person shall place any obstruction within the bounds of a sidewalk unless otherwise permitted under this or any other Ordinance of the Town of Camden. An object shall be an obstruction if its placement causes less than 48 inches (48") of uninterrupted pedestrian space to remain between the object and the edge of the sidewalk, or any power pole, light pole, utility fixture, seasonal trash collection container, or cigarette butt collection container, as located in the sole discretion of the Town, closest to the road, with the exception that the Select Board may grant a waiver of this provision for pre-existing access requirements to established businesses or for non-hazardous pre-existing awnings, benches or architectural features. An object shall also be an obstruction if the Select Board determines that the particular object, where located, meets the definition of "obstruction" as set forth in Section 3.2 of this Ordinance.
- 4.2 Notwithstanding Section 4.1, no object shall be placed at a distance greater than 6 inches from an existing structure, so as to maintain the maximum amount of passage for pedestrians on the sidewalk.
- 4.3 SPECIFICALLY PROHIBITED LOCATIONS - No object shall be placed, used or maintained as follows:
- a. Within ten feet of any fire hydrant or other emergency equipment or facility;
 - b. Within seven feet of any marked pedestrian crosswalk as measured from the point of intersection between a crosswalk and the sidewalk curbing closest to the intended location of said object;
 - c. Within five feet of any intersecting driveway, alley or street;
 - d. In a manner which interferes with ingress or egress from private property or public facilities;
 - e. Such that the placement causes a safety hazard for pedestrian traffic or vehicular traffic or obstructs the view of such traffic from the public way; and
 - f. For advertising, as a sign or for publicity purposes.
- 4.4 Other Restrictions and Conditions
- a. All objects shall be maintained by the owner of the object at all times, in a clean, neat and attractive condition and in good repair. The area around said object shall be kept free of debris and litter at all times.
 - b. No object shall be placed within, in on or over the sidewalk from November 1 through April 30 of each year in order to allow winter maintenance and plowing;
 - c. No sign, awning or architectural features shall be located less than seven (7) feet in height as measured from the sidewalk surface.

- d. Notwithstanding any provision of this Ordinance, all objects (excluding existing or future permitted signage) lawfully placed within, in, on or over a sidewalk shall be removed between November 1 and April 30 of each year.
- e. No person shall permit graffiti nor unauthorized lettering or words to be placed or remain on any object located on or above the sidewalk.

SECTION 5 - BENCHES

No person shall place, locate, or install a bench on a sidewalk, as defined in this Ordinance, unless the bench meets the following requirements:

- 5.1 Location - See Sections 4.1, 4.2, 4.3, and 4.4 above- all said restrictions and conditions shall apply to benches
- 5.2 Proximity to Adjacent Premises
Any bench authorized pursuant to this Section shall be located in front of the business premises and within six inches of the building in which the business premises is located. There shall be only one bench for each business premises adjacent to the sidewalk. Businesses that can accommodate more than one bench shall maintain a minimum separation of five (5) feet between benches.
- 5.3 Design - Benches shall be constructed primarily of wood and shall have sufficient strength and durability to serve the intended purpose of providing seating and a resting area for patrons of a business and for members of the public. The seat shall not be more than 20 inches in height and not more than 6 feet in length and 24 inches in depth; the overall height of the bench shall not exceed 40 inches.

SECTION 6 - PLACING STOCK IN TRADE ON SIDEWALKS

No person carrying on any business for the sale of goods, wares or merchandise shall at any time place any part of their stock in trade upon any town sidewalk adjoining their buildings or upon any shelf, stand or bracket extending over said sidewalk. The Select Board may, however, authorize the temporary placement of stock in trade on a sidewalk for the purposes of an organized and scheduled town or area-wide sidewalk event, or any other special permitted annual or seasonal event. Such event may include tables for non-profit groups, provided permission is granted by the owner/occupant of the business premises where the table(s) would be located. (See also Appendix A Ordinance Regulating Placement of Newspaper Racks and Boxes. Historical Note: Adopted June 14, 1994.

SECTION 7 - GRANTING OF PERMISSION ON A TEMPORARY BASIS

- 7.1 Notwithstanding any other provision of this Ordinance, the Town Manager may grant permission on a temporary basis for scaffolding, ladders and

other property, construction, repair or maintenance equipment to be located within, upon or over a sidewalk; the duration and scope of permission shall be provided in writing to the applicant, in the Town Manager's sole discretion. The Town Manager shall consider safety of pedestrians, construction workers and vehicles on or about the sidewalk or in the Town Way. The applicant shall provide a written application depicting the equipment to be used and its location in relation to buildings, sidewalk, and Town Way. The applicant shall demonstrate that it has provided for the free and safe movement of pedestrians and vehicular traffic.

- 7.2 Notwithstanding any other provision of this Ordinance, a non-profit group may locate a table on a sidewalk where there is at least eight (8') feet of width, provided that permission is granted by the owner/occupant of the abutting business premises and provided the table does not become an obstruction as defined herein.

SECTION 8 - OBJECTS TO BE REMOVED UPON NOTICE

Any object placed within a sidewalk shall be removable and shall not be permanently attached to the sidewalk, and such object shall be removed immediately upon written notice from a Police Officer to the owner requiring the object's removal for safety reasons, for purposes of construction or maintenance activities by the Town, or for purposes of the convenience of pedestrians.

SECTION 9 - ENFORCEMENT

The Chief of Police or designated agent shall have the authority to order removal of any object deemed to be an obstruction under this Ordinance. The Chief of Police or designated agent shall also have the authority to order removal of any object, if its owner fails to comply with written notice of removal provided by the Town or an order to enforce the provisions of this Ordinance.

SECTION 10 - LIABILITY PROTECTION

A person or entity which locates, places or installs any object within, on, or over the sidewalk shall indemnify and hold harmless the Town of Camden for any damage to persons or property resulting from the placement of said object on the sidewalk, and for any liability or for damage to said object resulting from routine maintenance of the sidewalk or the public ways by the Town.

SECTION 11 - PENALTIES

Any violation of any provision of this Ordinance shall be a civil violation for which penalty may be adjudged upon complaint by the municipality to the District Court. Each day during which said violation continues shall constitute a separate offense, which shall subject the violator to a fine of One Hundred (\$100) dollars for each day of violation. Prior to filing a complaint in the District Court, the Chief of Police shall provide a written notice to any person

violating this Ordinance and said person shall be given an opportunity to immediately and upon receipt of said Order abate the violation; except that for repeat violations no such notice need be given and the Town may proceed directly to District Court. Any person found by the Court to have violated the provisions of this Ordinance shall pay the reasonable costs and attorney fees of the Town of Camden for prosecution of said violation. Further, the Town may seek permanent injunctive relief regarding any object or bench that is placed in violation of the terms of this Ordinance or that creates a nuisance or is a safety hazard.

Upon adoption of this Ordinance, the "Placement of Benches on Public Sidewalks Ordinance" adopted on June 9, 1998 is hereby repealed and fully replaced by the Sidewalk Ordinance.

APPENDIX A

(The following standards are those which appear and are a part of the Camden Zoning Ordinance - Chapter VIII Town of Camden Police Ordinance, Part X Ordinance Regulating Placement of Newspaper Racks and Boxes - page 119)

**CHAPTER VIII TOWN OF CAMDEN
Police Ordinance**

PART XIV

Restricting Vehicle Weight on Posted Ways Ordinance

Section 1 PURPOSE AND AUTHORITY

The purpose of this Ordinance is to prevent damage to the Town ways and bridges in the Town of Camden which may be caused by vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of Town ways and bridges and to reduce the public expense of their maintenance and repair.

This ordinance is adopted pursuant to Title 30-A M.R.S.A., section 3009 and Title 29-A M.R.S.A. sections 2395 and 2388.

Section 2 DEFINITIONS

The definitions contained in Title 29 M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Section 3 RESTRICTIONS AND NOTICES

The Municipal Officers may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in their judgment, be necessary to protect the traveling public and prevent abuse of the highways and designate the Town ways and bridges to which restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

The notice shall contain, at a minimum, the following information:

- (a) The name of the way or bridge;
- (b) The gross registered weight limit;
- (c) The time period during which the restriction applies;
- (d) The date on which the notice was posted, and
- (e) The signature of the Municipal Officers.

The notice shall be conspicuously posted at each end of the restricted way or bridge in a location clearly visible from the traveled way. Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is received or extended, existing notices shall be removed and replaced with new notices.

No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

Section 4 EXEMPTIONS

The following vehicles are exempt from this ordinance:

- (a) Any vehicle delivering home heating fuel and operating in accordance with a permit issued by the Department of Transportation pursuant to title 29-A Maine Revised Statutes section 2395;
- (b) Any vehicle while engaged in highway maintenance or repair under the direction of the State or Town;
- (c) Any emergency vehicle (such as firefighting apparatus or ambulances) while responding to an emergency;
- (d) Any school transportation vehicle while transporting students;
- (e) Any public utility vehicle while providing emergency service or repairs; and
- (f) Any vehicle whose owner or operator holds a valid permit from the Municipal Officers as provided herein.

NOTE: The Municipal Officers request that owners and operators of exempted vehicles use common sense when conducting necessary travel over posted ways or bridges during the posting period by reducing the gross weight of their vehicles as much as possible before traveling these way or bridges.

Section 5 PERMITS

The owner or operator of any vehicle not otherwise exempt as provided herein may apply in writing to the Municipal Officers for a permit to operate on a posted way or bridge notwithstanding the restriction. The Municipal officers may issue a permit only upon all of the following findings:

- (a) No other route is reasonably available to the applicant;
- (b) It is a matter of economic necessity and not mere convenience that the applicant use the way or bridge; and
- (c) The applicant has tendered cash, a bond or other suitable security running to the Town in an amount sufficient, in their judgment, to repair any damage to the way or bridge which may reasonably result from the applicant's use of same.

Even if the Municipal Officers make the foregoing findings, they need not issue a permit if they determine the applicant's use of the way or bridge could reasonably be expected to create or aggravate a safety hazard or cause substantial damage. They may also limit the number of permits issued or outstanding as may, in their judgment, be necessary to preserve and protect the highways.

In determining whether to issue a permit, the Municipal Officers shall consider the following factors:

- (a) The gross registered weight of the vehicle;
- (b) The current and anticipated condition of the way or bridge;

- (c) The number and frequency of vehicle trips proposed;
- (d) The cost and availability of materials and equipment for repairs;
- (e) The extent of use by other exempt vehicles; and
- (f) Such other circumstances as may, in their judgment, be relevant.

The Municipal Officers may issue permits subject to reasonable conditions, including but not limited to, restrictions on the actual load weight and the number and frequency of vehicle trips, which shall clearly noted on the permit.

Section 6 ADMINISTRATION AND ENFORCEMENT

This Ordinance shall be administered and may be enforced by the Municipal Officers or their duly authorized designee (such as Road Commissioner, Code Enforcement Officer or Law Enforcement Officer).

Section 7 PENALTIES

Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1,000.00. Each violation shall be deemed a separate offense. In addition to any fine, the Town may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney's fees and costs.

Prosecution shall be in the name of the Town of Camden and shall be brought in the Maine district court.

Section 8 AMENDMENTS

This Ordinance may be amended by the Municipal Officers at any properly notice meeting.

Section 9 SEVERABILITY: EFFECTIVE DATE

In the event any portion of this Ordinance is declared invalid by a Court of competent jurisdiction, the remaining portions shall continue in full force and effect.

Historical Note: Adopted June 10, 1997

**Chapter VIII
Police Ordinance
Town of Camden**

Part XV

Public Transportation Ordinance

Section 1. AUTHORITY

This Ordinance is adopted pursuant to the authority granted by 30 M.R.S.A., section 3001, in order to ensure the safety of the residents of Camden and the public in general.

Section 2. PURPOSE AND INTENT

The purpose of this Ordinance is to license and control those persons, corporations or businesses who engage in the business of operating busses or trolleys over a fixed route on a regular basis for a fee within the Town of Camden. The intent is to protect the safety and quiet residential character of Camden's neighborhoods. Furthermore, it shall establish:

- Routes of travel over which public transportation shall operate;
- Stopping points for the pickup and discharge of passengers;
- Vehicle capacities;
- Insurance and safety inspection requirements.

Section 3. DEFINITIONS

As used herein, the words listed below shall have the following definitions. All words not defined shall carry their usual and customary meaning.

Licensee: Any person, individual, partnership, firm, association, corporation, other legal entity, or any agent thereof, issued a license by the Select Board.

Official Route Maps: The maps described in Section 7, showing the major routes on which public transportation is permitted to operate and attached to this Ordinance as Schedules A, B and C.

Public Transportation: Any trolley, bus, van or other vehicle, used for the transportation of persons on a fixed route for a fee within the Town of Camden.

Section 4. APPLICABILITY

This following public transportation is exempt from the provisions of this Ordinance.

1. Public transportation operated or contracted by a municipal, county, state, public school district, private school or non-profit transportation

- entity, such as, but not limited to Coastal Transportation Bus Service.
2. Interstate and intrastate bus service operating on major routes as shown on the Official Route Map.
 3. Shuttle busses operated by a corporation for their employees, clients or guests.
 4. Taxicabs licensed pursuant to the Town's Taxicab License Ordinance.
 5. Vehicles with a capacity of no more than fifteen (15) passengers, used for transportation to special events not occurring on a regular basis, such as but not limited to home and garden tours, antique shows, etc.
 6. Vehicles with a capacity of more than fifteen (15) passengers, used for transportation to special events not occurring on a regular basis, such as but not limited to home and garden tours, antique shows, etc. provided there are no more than three such events per organization per year.
 7. Busses operated, hired or contracted for the purpose of transporting inn, motel or hotel guests to and from a lodging facility that is not located on one of the official routes, provided that the activity had been established prior to January 1, 2002. Routes to and from an official route shall be designated by the Select Board by May 1st of each year.

Section 5. REVIEW AND APPROVAL AUTHORITY

No one shall engage in public transportation for a fee within the Town of Camden without having first obtained a license to do so from the Select Board.

5.1 Application

Applicants for a Public Transportation License shall submit a written application to the Town Clerk on forms approved by the Select Board. The application shall include the applicant's name, the name of the business, the address of the business, the type and capacity of vehicle(s) to be used, the name, address, drivers' license number, and social security number of any driver, the proposed routes and proposed stopping points within the Town for such transportation and any additional information as may be required by the Select Board to issue the license.

5.2 Requirements for Issuance of a License

The following requirements must be met by the applicant and all drivers for the issuance of a license for the operation of public transportation and a license shall be issued to any applicant who meets all of these requirements:

- (a) The applicant shall be eighteen years of age or older and if the applicant is a corporation, limited liability company or other legal entity, it must provide evidence that it is registered to do business and is in good standing under the laws of the State of Maine.
- (b) The applicant shall not have been convicted within five years prior to the date of application of a crime which is punishable by a maximum term of imprisonment equal to or exceeding one year;
- (c) The applicant shall not be an unlawful user of or be addicted to any controlled substance;
- (d) The applicant shall not be a fugitive from justice;
- (e) The applicant shall not have been adjudicated to be an incapacitated person pursuant to Title 18-A, Article 5, Parts 3 and 4 and not had that designation removed by an order under Title 18-A, Sec. 5-307, Subsection B;

- (f) The applicant shall not be an illegal alien;
- (g) The applicant shall not have been convicted of operating under the influence of intoxicating liquors or operating under the influence of drugs within five years prior to the date of application;
- (h) The applicant shall not have been convicted of negligent or reckless driving to endanger within five years prior to the date of the application;
- (i) The applicant shall have and maintain at all times a current valid Maine drivers' license;
- (j) The applicant shall maintain at all times liability insurance coverage for the applicant and any drivers of public transportation under this license in an amount not less than \$100,000 each person and \$100,000 aggregate;
- (k) The applicant shall permit or cause the operation of public transportation by drivers who at all times meet and conform with the requirements set forth in Section 5.2, (a) through (i), inclusive.

5.3 License Fee

The fee for a Public Transportation License and the fee for drivers shall be set annually by the Select Board.

Section 6. License Terms and Conditions

A public transportation license shall be valid for a one-year period from July 1st, to June 30th, regardless of the date of issuance.

6.1 License Suspension

The Town Manager or Chief of Police may suspend the right to operate, of any employee of a licensee, found violating the provisions of this Ordinance or of the public laws relating to the operation of motor vehicles or the endangerment of the public health, safety and welfare. The licensee shall be notified and shall either immediately affirm the suspension by replacing the employee or shall give notice of an appeal to the Select Board.

6.2 Appeal Procedure

Any licensee or employee of a licensee who's right to operate under this Ordinance has been suspended, shall be afforded the right to appeal to the Select Board. The Board shall meet within 30 days after being notified of the appeal. The Select Board, after notice and hearing, may confirm the suspension or may modify it as the circumstances may require, or may vacate the suspension altogether. The Select Board shall determine the length of any suspension.

6.3 License Revocation

After repeated violations of the provisions of this Ordinance or the law of the state by a licensee or an employee thereof, and after notice and hearing, the Select Board may revoke any license issued under the authority of this Ordinance.

Upon a finding of repeated violations of this ordinance, the Select Board may revoke a license issued pursuant to this ordinance. Upon a finding of more than three violations of the provisions of this ordinance, the Select Board shall revoke such license.

Section 7. Route of Travel

It shall be a violation of this Ordinance for any licensee to operate on any route other than those specified on the Official Route Maps. Those routes include Route 1, Route 52, Route 105, John Street, Mechanic Street between John Street and Hosmer Pond Road, Hosmer Pond Road, Barnestown Road, Union Street, Mechanic Street from the intersection of Route 1 to the intersection of Free Street, Free Street, and Conway Road.

Section 8. Stopping Points

It shall be a violation of this Ordinance for any licensee to stop at any points for pickup and discharge of passengers, other than the official stopping points, which shall be approved by the Select Board upon issuance of the license. Stopping points may be designated by a uniform system of signs, designated annually by the Select Board no later than June 1st of each year.

Section 9. Amplification

It shall be a violation of this Ordinance to operate an amplified public address system while operating public transportation within the Town of Camden, except for exempt public transportation under Section 4.

Section 10. Advertising

It shall be a violation of this Ordinance to attach signs and/or advertising to the exterior of any public transportation vehicle other than signs identifying or conveying information about the licensee.

Section 11. Vehicle Capacities

Vehicle capacities shall not exceed federal safety standards and shall be posted on the outside of the vehicle by the forward door and at the rear of the vehicle. In addition, the capacities shall be posted on the inside of the vehicle near the forward door in a place clearly visible to the passengers. It shall be a violation of this Ordinance to carry more passengers than the posted capacities allow.

Section 12. Insurance Requirements

Insurance coverage on the vehicles shall be in the amount and of the type required by the state of Maine for vehicles for hire.

Section 13. Safety Inspection

Safety requirements for the vehicles shall be as required by the State of Maine.

Section 14. Appeal from Denial of License Application

An applicant for a license or any person aggrieved by a decision of the Select Board concerning a license application may appeal the decision to Superior Court within thirty (30) days of the date of the vote at a public meeting concerning the license application.

Section 15. Emergencies

In case of emergency situations, members of the Police or Fire Departments or other public safety officers are authorized to waive the requirements of this Ordinance on a temporary basis in order to meet the needs of the emergency situation.

Section 16. Enforcement

The Select Board is authorized to enforce the provisions of this ordinance. The authority to commence civil action in the District Court in the State of Maine to collect civil penalties is set forth in Section 17. By a vote at a meeting of the Select Board, the Select Board may delegate enforcement authority to the Chief of Police of the Town of Camden.

Section 17. Penalties

Any licensee who is found to have violated or who has failed to comply with any of the provisions of this Ordinance, is subject to a fine of \$500 per offense, recoverable in a court of competent jurisdiction, and may have his/her license revoked as provided for in Section 6.3. A licensee shall be responsible for the actions for his/her employees.

Any person who operates public transportation, for which a license is required pursuant to this ordinance, without obtaining such a license shall pay a fine of \$100.00 for each violation. Each day of operation of public transportation without a license shall be a separate violation giving rise to a \$100.00 civil penalty.

Section 18. Renewability

A Public Transportation License may be renewed each year by the Select Board, subject to review of the licensee's operations by the Select Board and subject to continued compliance with the standards for the issuance of a license.

Section 19. Severability

The invalidity of any part of this Ordinance shall not invalidate the other parts.

Historical Note: Public Transportation Ordinance Adopted at Town Meeting
June 11, 2002